

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
APRIL 18, 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: Commissioner Christine Teel
Commissioner Charlotte E. Rodstrom
Commissioner Carlton B. Moore (Arrived at 6:05 p.m.)
Vice Mayor 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 Corporal Chris Herbert

Invocation was offered by Reverend Sherod Mallow, All Saints Episcopal Church, followed by the recitation of the Pledge of Allegiance.

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

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel that the minutes of the March 21, 2006 Special Regular Meeting and the April 4, 2006 Conference and Regular Meetings and agenda be approved.

Commissioner Moore entered the meeting at approximately 6:05 p.m.

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

Presentations

OB

1. Energy Roundtable II Day – April 25, 2006

Commissioner Moore and the City Commission issued a proclamation designating April 25, 2006 as Energy Roundtable II Day in the City of Fort Lauderdale.

Bunney Brenneman thanked the Commission for the proclamation. She said they hoped that everyone learned during the hurricanes more about preserving energy. She urged everyone to attend the roundtable.

2. Water Conservation Month – April, 2006

Commissioner Rodstrom and the City Commission issued a proclamation designating April, 2006 as Water Conservation Month in the City of Fort Lauderdale.

Bert Waters, South Florida Water Management District, thanked the Commission. They will all work to continue preserving water which was a precious resource.

3. Waterworks 2011 Bid Contest Winners – Stranahan High School Pre-Engineering Magnet Program

Vice Mayor Hutchinson and the City Commission recognized the Waterworks 2011 bid contest winners in the Pre-Engineering Magnet Program at Stranahan High School. She said that the contest is funded by CH2M Hill and the school would receive \$500 to benefit the school's engineering's activities.

The following teachers of the program were recognized: James Paine and David Platt.

The name of the winning team is Aquatic Medics consisting of the following students: Andy Neto, Jemah McNab, Racchea Brown, Richard Forest, and Katrina Luna Gordon.

4. Drop Saver Water Conservation Poster Contest Winners

Commissioner Teel and the City Commission recognized the winners of the 2006 Drop Saver Water Conservation Poster Contest. She said that this is in conjunction with the AWWA Conservation Month. Drinking Water Week would be recognized from May 7th to the 13th. The following winners were announced:

K & 1 st Grade	Olivia Calis (1 st Place) Christian Frazier (2 nd Place) Kendra Hunt (3 rd Place)
Grades 2 & 3	Kaitland Frost (1 st Place) Peyton Dixon (2 nd Place) Parella Virchile (3 rd Place)
Grades 4 & 5	Monique Smith (2 nd Place) Donessio Blanko (3 rd Place)

5. Test Your Smoke Detector

Commissioner Moore and the City Commission reminded everyone to properly test their residential smoke detectors.

6. Expression of Sympathy

The Mayor and the City Commission offered an expression of sympathy to the family of Reverend Burton Raye.

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.

**Snyder Park – Team Building Activities Agreement -
UP-Unlimited Potential, Inc.****(M-1)**

A motion authorizing the proper City Officials to execute a two-year agreement for the period of April 15, 2006 – April 14, 2008, with automatic option of two additional one-year terms with UP-Unlimited Potential, Inc. for use of Snyder Park as the setting for its experience-based training and development team building activities.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0560

**Event Agreement – Walk America – Closing of City
Streets Along Route****(M-2)**

A motion authorizing and approving execution of an Event Agreement with March of Dimes Birth Defects Foundation for Walk America, to be held Saturday, April 29, 2006, 7 AM – 3 PM; and authorizing closing of City streets in the walk route from 8:30 AM to 10:30 AM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0563

Event Agreement – Blessing of the Fleet**(M-3)**

A motion authorizing and approving execution of an Event Agreement with All Saints Protestant Episcopal Church for Blessing of the Fleet to be held Sunday, May 21, 2006, 12:30 PM – 4:30 PM, on the New River and on church property at 333 Tarpon Drive.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0564

**Event Agreement – Air and Sea Show Take-Off
Party – Closing SW 2 Avenue****(M-4)**

A motion authorizing and approving execution of an Event Agreement with Tarpon Bend Food and Tackle – Riverwalk, Ltd. for Air and Sea Show Take-Off Party to be held at Tarpon Bend, 200 SW 2 Street on Friday, May 5, 2006, 6 PM – 10 PM; and authorizing closing SW 2 Avenue from SW 2 Street to alley behind Tarpon Bend from 2 PM to 12 Midnight.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0561

**Revised Event Agreement – AIDS Walk Fort Lauderdale
Closing City Streets Along Route****(M-5)**

A motion authorizing and approving execution of an revised Event Agreement with AIDS Healthcare Foundation, Inc. reflecting a request for lane closings to accommodate the AIDS Walk Fort Lauderdale to be held at Huizenga Plaza, the beach area, and various streets and sidewalks on Sunday, April 30, 2006, 8 AM – 3 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0566

**Disbursement of Funds/Joint Investigation/O.R. No. 04-114094
Law Enforcement Trust Fund****(M-6)**

A motion authorizing the equitable disbursement of funds in the amount of \$26,267.37 with each of the thirteen participating law enforcement agencies to receive \$2,020.56.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0535

**Emergency Response and Recovery Initiative – Budget
Transwer - \$367,000****(M-7)**

Motion to authorize budget transfer in the amount of \$367,000 for purchase of equipment, supplies and an information campaign to enhance emergency preparedness, response, and recovery capabilities.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0572

City-Owned Buildings and Contents – Annual Property Insurance Policy – FM Global Insurance - \$2,155,292.12 (M-8)

A motion authorizing purchase of annual property insurance policy for City-owned property in the amount of \$2,155,292.12 from FM Global Insurance.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0559

Grant Application – Hurricane Wilma Damage at Executive Airport - \$174,420 – Federal Aviation Administration (M-9)

A motion authorizing the proper City Officials to apply to the Federal Aviation Administration for a grant of \$174,420 or up to 95% of repair costs for damage caused by Hurricane Wilma at Executive Airport and to accept grant funds when offered.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0526

Marine Facilities Office – Lease Agreement Azorra Properties, Inc. - \$20,962.56 (M-10)

A motion authorizing the proper City Officials to execute a one-year lease agreement with Azorra Properties, Inc. for the Marine Facilities Office at 408 South Andrews Avenue – May 1, 2006 through April 30, 2007 - \$20,962.56.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0573

Task Order 06-05 – Hazen and Sawyer, P.C. - \$43,830 Lime Building Rehabilitation – Peele Dixie Water Treatment Plant (M-11)

A motion authorizing the proper City Officials to execute Task Order 06-05 with Hazen and Sawyer, P.C., in the amount of \$43,830 for design and construction management services associated with repair of the lime building at the Peele-Dixie Water Treatment Plant – Project 10454.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0540

Task Order 13 – CMTS Florida, LLC - \$215,066.40 (M-12)
Utility Construction Inspection – Sewer Area 4 Basin A

A motion authorizing the proper City Officials to execute Task Order 13 with CMTS Florida, LLC, in the amount of \$215,066.40 for utility construction inspection services – Sewer Area 4 Basin A – Project 10507A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0541

Task Order 14 – CMTS Florida, LLC - \$284,269.65 (M-13)
Utility Construction Inspection – Sewer Area 3 Basin A

A motion authorizing the proper City Officials to execute Task Order 14 with CMTS Florida, LLC, in the amount of \$284,269.65 for utility construction inspection services – Sewer Area 3 Basin A – Project 10506A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0542

Task Order 15 – CMTS Florida, LLC - \$456,554.49 (M-14)
Utility Construction Inspection – Sewer Area 3 Basin B

A motion authorizing the proper City Officials to execute Task Order 15 with CMTS Florida, LLC, in the amount of \$456,554.49 for utility construction inspection services – Sewer Area 3 Basin B – Project 10506B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0543

Task Order 19 – Kimley-Horn and Associates, Inc. - \$127,574 (M-15)
Executive Airport Way Finding Signage

A motion authorizing the proper City Officials to execute Task Order 19 with Kimley-Horn and Associates, Inc. in the amount of \$127,574 for design, surveying, and bid assistance services related to Way Finding Signage Program at Executive Airport – Project 10825.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0554

Final Adjusting Change Order – Hypower Inc. - \$13,417.70 (M-16)
Executive Airport Fiber Optic Communications System

A motion authorizing the final adjusting Change Order 3 with Hypower Inc., in the amount of \$13,417.70 for Executive Airport Fiber Optic Communications System – Project #10462A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0569

Bridge Design Consulting Services – Corzo Castella Carballo (M-17)
Thompson Salman, P.A. D/B/A C3TS Consulting

A motion approving the proposed ranking of Bridge Design Consultants and authorizing the proper City Officials to commence negotiations with the top ranked firm, Corzo Castella Carballo Thompson Salman, P.A. D/B/A C3TS Consulting or successively ranked firms if necessary.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0551

Contract Award – Conquest Engineering Group Company - (M-18)
\$795,848 – Annual Storm Drainage Contract

A motion authorizing the proper City Officials to award and execute an agreement with Conquest Engineering Group Company in the amount of \$795,848 for 2005-2006 Annual Storm Drainage Contract – Project 11046.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0465

Agreement – US Department of Agriculture – Removal of (M-19)
Waterway Debris – Hurricane Aftermath

A motion authorizing the proper City Officials to execute an agreement with United States Department of Agriculture and Natural Resources Conservation Service for the removal of waterway debris created by Hurricane Wilma.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0571

Contract Award – Poole and Kent Company of Florida - \$1,748,000 (M-20)
Filter Rehabilitation – Fiveash Water Treatment Plant

A motion authorizing the proper City Officials to award and execute a contract with Poole and Kent Company of Florida, in the amount of \$1,748,000 for rehabilitation of filters at Fiveash Water Treatment Plant – Project 10387A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0538

Contract Award – Stealth Construction USA, Inc. - \$232,000 (M-21)
Fire Station 54 Renovations

A motion authorizing the proper City Officials to award and execute a contract with Stealth Construction USA, Inc., in the amount of \$232,000 for Fire Station 54 Renovations – Project 10440.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0585

Settlement Agreement – Storm Drainage Easement - (M-22)
1331 Ponce De Leon Drive – Genevieve L. Lessard and Dan McCawley

A motion authorizing the proper City Officials to execute a Settlement Agreement with Genevieve L. Lessard and Dan McCawley – storm drainage easement on property located at 1331 Ponce De Leon Drive.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0031

Revocable License – Exchange Tarragon, LLC (M-23)
Temporary Sidewalk and Lane Closure – Southeast Portion of NE 2 Street

A motion authorizing the proper City Officials to execute a revocable license with Exchange Tarragon, LLC, to allow sidewalk and lane closures described in their Maintenance of Traffic Plan during condominium construction at 115 NE 3 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0471

**Bid Rejection – Low Slope Re-Roofing and Repair Project (M-24)
City Facilities – Hurricane Aftermath**

A motion rejecting the sole bid for Low Slope Re-Roofing and Repair relating to various City facilities damaged by Hurricane Wilma – Project 16059-A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0549

**Tenth Amendment – Interlocal Agreement – Broward County (M-25)
Solid Waste Disposal Service – Reconfiguration of Resource
Recovery Board**

A motion authorizing the proper City Officials to execute the Tenth Amendment to Interlocal Agreement with Broward County for solid waste disposal services to re-configure the representation on the Resource Recovery Board.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0593

PURCHASING AGENDA

**762-9408 – Generator for Fire Station 53 - (PUR-1)
Executive Airport**

An agreement to purchase a replacement generator at Fire Station 53 at Fort Lauderdale Executive Airport is being presented for approval by the Business Enterprises Department.

Recommend: Motion to approve.

Vendor: United Rentals, Inc.
Greenwich, CT

Amount: \$33,065.00

Bids Solicited/Rec'd: 369/4

Exhibit: Commission Agenda Report 06-0527

The Procurement Services Department has reviewed this item and recommends awarding to the low responsive and responsible bidder.

352-9157 Contract Extension – Instructional Swimming Services (PUR-2)

An agreement to extend the contract for instructional swimming services with Jack Nelson Swim School, Inc. is being presented for approval by the Business Enterprises Department.

Recommend: Motion to approve.
Vendor: Jack Nelson Swim School, Inc.
Fort Lauderdale, FL
Amount: N/A
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 06-0558

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

Florida Sheriff's Contract – One Ford Escape Vehicle (PUR-3)

An agreement to purchase one Ford Escape vehicle from the Florida Sheriff's Contract is being presented for approval by the Public Works Department.

Recommend: Motion to approve.
Vendor: Duval Ford
Jacksonville, FL
Amount: \$13,986.00
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 06-0434

The Procurement Services Department has reviewed this item and recommends approving purchase from Florida Sheriff Contract.

462-9405 – Water Distribution Fittings and Repair Products Contract**(PUR-4)**

Approval of four annual contracts for water distribution system fittings and repair products is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Lehman Pipe & Plumbing Supply, Inc., Ferguson Enterprises, Inc.
Hughes Supply, Inc., National Waterworks, Inc.

Amount: per unit prices

Bids Solicited/Rec'd: 462/10

Exhibit: Commission Agenda Report 06-0544

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

462-9261 – Turfgrass Maintenance Contract**(PUR-5)**

One-year contract for turf grass maintenance services is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: T.T.C. Environmental Services, Inc.
Miami, FL

Amount: \$72,000.00 (estimated)

Bids Solicited/Rec'd: 178/4

Exhibit: Commission Agenda Report 06-0547

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

752-9236 – Americans With Disabilities Act (ADA) Consultant**(PUR-6)**

Cancel and re-award of a two-year contract for consulting services regarding City compliance with ADA requirements is being presented for approval by the Finance Department.

Recommend: Motion to approve.

Vendor: Nichols/Page Design Associates, Inc./ADA Help, Inc. A
Joint Venture
Fort Lauderdale, FL

Amount: \$75,000.00 (estimated)

Bids Solicited/Rec'd: 353/6

Exhibit: Commission Agenda Report 06-0524

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

552-9097 Contract Extension – Employee Voluntary Benefit Services

(PUR-7)

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

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0581

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

562-9419 – July 4th Fireworks Display

(PUR-8)

A one-year contract with renewal options with Pyro Engineering, Inc. d/b/a Bay Fireworks for 4th of July fireworks display services is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Pyro Engineering, Inc. d/b/a Bay Fireworks
Huntington Station, NY

Amount: \$60,000.00 (estimated)

Bids Solicited/Rec'd: 196/4

Exhibit: Commission Agenda Report 06-0583

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

**Building/Zoning/Permitting – Encompass Software
Application Upgrade Expenses**

(PUR-9)

Additional travel and support expenses associated with the proprietary upgrade of the Encompass software application is being requested for approval by the Information Technology Services Department.

Recommend: Motion to approve.

Vendor: SunGard Pentamation, Inc..
Bethlehem, PA

Amount: \$18,573.00 (not to exceed)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0556

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

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

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel that Consent Agenda Item Nos. M-21, M-25, Pur-5 and Pur- 6 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

**Emergency Response and Recovery Initiative
Budget Transfer - \$367,000**

(M-7)

Mayor Naugle said that on the face of the agenda, the budget amendment should be \$2 Million and not listed as a transfer of \$367,000.

**Contract Award – Stealth Construction USA, Inc. - \$232,000
Fire Station 54 Renovations**

(M-21)

Commissioner Moore asked if the developer who was to build this project is no longer going to proceed with the development.

Albert Carbon, Director Public Works, said Commissioner Moore's information is correct. Commissioner Moore asked what impact this would have on the bond spending. Mr. Carbon said the fire bond funds are sufficient to pay for the ten stations. Commissioner Moore understood that due to the developer doing this site, there would be additional funds to use to improve or enhance or possibly place another fire station site on the table. Mr. Carbon said if the developer proceeded with Fire Station 54, there would have

been additional funds available, but the current recommendation is that would have been less bonds needed to be sold.

Commissioner Moore asked for further explanation as to what occurred with the developer, but Mr. Carbon did not know the details.

Mayor Naugle thought that market conditions probably prevented this from happening. Commissioner Moore said this is a result of attainable housing not being offered.

Commissioner Moore asked if there would be an impact on the proposed budget regarding. Mr. Carbon said the budget includes funds for ten stations.

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

**Tenth Amendment – Interlocal Agreement – Broward County
Solid Waste Disposal Service – Reconfiguration of Resource
Recovery Board**

(M-25)

Commissioner Moore asked the Mayor to provide further detail on the matter since he is the City's representative on this board.

Mayor Naugle said there is a reconfiguration of the Resource Recovery Board whereby the participation of the County Commission would be lessened, and City participation would be increased. The Executive Director of this board has surveyed cities, and the board feels this proposal has the best chance of obtaining 50% plus one in participation. The County is eliminating unincorporated areas which are shrinking and the County Commission feels the cities should have more control.

Commissioner Moore asked when the bonds would be retired, Mayor Naugle said they recently refinanced to obtain a lower rate.

Ed Udvardy, Assistant Director of Public Works, said that about three years ago the bonds were refinanced, and as a result, the City receives additional revenue annually. The current interlocal agreement will expire in 2011. As an added point, the City has hired a solid waste consultant who will conduct some research to put the City in a better position to make a recommendation as to how they should move forward.

Commissioner Moore asked if the majority of the members of the board are happy with the present director. Mayor Naugle said a majority appear pleased with the current director.

Commissioner Rodstrom asked if the County has the second pledge on the bonds. Mr. Udvardy confirmed that is correct. Commissioner Rodstrom asked if the City failed to meet their bond covenants, is there anything in place to protect the County until 2011.

Mayor Naugle said the bonds are paid off due to the waste stream of the contract communities. Tipping fees pay off the bonds. In 2011, cities could choose to either remain in the system or go out of it.

Commissioner Moore further said the present process does not give the City the best shake in the deal. This has always been a concern.

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

562-9261 – Turfgrass Maintenance Contract

(PUR-5)

Commissioner Moore wanted to understand if improvements are going to be made in Melrose Park.

Kirk Buffington, Procurement Director, said this contract includes lawn maintenance for Melrose Park, as well as for other areas.

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

752-9236 – Americans With Disabilities Act (ADA) Consultant

(PUR-6)

Commissioner Moore met with an individual who responded to the RFP who challenged the process. He asked what is the present status of this matter.

Kirk Buffington, Procurement Director, said the situation has been resolved, and if this item is approved tonight, it would remedy some of the issues which occurred with the process. He believed the responder would then be satisfied.

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

PUBLIC HEARINGS

**Transportation Management Association
Transit Routes – Introduction of Fares**

(PH-1)

Public hearing to approve the introduction of fares on transit routes operated by the Transportation Management Association (TMA).

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

Commissioner Moore asked if the TMA manager is the same. Vice Mayor Hutchinson confirmed.

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel to approve the item as presented. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: Commissioner Moore

ORDINANCES

**Expedited Plan Review Fees – Amending Code,
Sections 98-46 and 9-48**

(O-1)

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

Amendment to the Pay Plan – Schedules I & II

(O-2)

Commissioner Moore asked if this item could be tabled. Due to the hurricane preparedness matter, along with increase in staffing, and management, he stated at the time he was concerned that the Auditor had not been hired. He believed this would impact the budget, and due to the fact that the past Commission felt it important to assist in managing their budget, that an Auditor be hired. Therefore, he asked there not be any drastic increases in salaries or appropriations that would impact the budget until such Auditor is hired.

Motion made by Commissioner Moore to table this matter until the Auditor is hired.

Vice Mayor Hutchinson said this has to do with the Commission office. She was not in favor of how the matter is being presented this evening. All of the ladies are doing a great job but this is compensation for a few, not for all. She favored the re-classification, but it has to be done on a fair basis. The present structure is not fair. The proposal changed while she was away; it was a fair one. Some individuals are receiving 5% while others are receiving 17%. There has not been much discussion about this at the Commission level. She did not want this item tabled until an auditor is hired because she is not convinced there will be one. She wanted to table the matter so further discussions could be held amongst the Commission. She fully supports the reclassification. Some were hired at the top of the pay range. Everyone should be at 5% and once the budget comes into effect, those pay ranges could be adjusted, and Cami Helm's would not take effect until she has been with the City for a year.

Commissioner Teel was concerned about the policy and procedure. She agreed with Vice Mayor Hutchinson with respect to some who were hired at the top of the pay range being disappointed in there not being any movement. She wanted guidelines in place.

Vice Mayor Hutchinson said there should be a re-classification; they deserve it.

Commissioner Rodstrom agreed that policies and guidelines need to be put in place before pay scale adjustments are made.

Mayor Naugle felt there could be a discussion at the Commission's conference meeting. He felt the Assistant to the Mayor has a heavier workload. He felt there needs to be a recognition.

Both Vice Mayor Hutchinson and Commissioner Moore disagreed with respect to workload.

Commissioner Moore said many of these issues could be given a process if an auditor is hired. He further said that he has urged and pleaded that a Commission workshop or

retreat be held so process could be discussed. Commissioner Moore wanted the auditor position to be addressed so that when issues of this nature occur, they could be addressed on a level playing field. He wanted the Auditor on staff before any budgetary impacts are addressed.

In response to Commissioner Moore’s question of when the auditor position question was passed, Vice Mayor Hutchinson said it was about two years ago. Commissioner Moore felt that the position should be filled as it was in fact stated should be one.

Vice Mayor Hutchinson did not want to wait for the hiring of an auditor because there is an human resources director that is capable of doing the job. The administrative assistants deserve what they are requesting, but she wanted it to be done in a fair and equitable manner. She was not informed as to why changes were made to this proposal while she was out of town.

Commissioner Teel asked when the auditor would be hired.

The City Manager said the Commission took over the process, and therefore, he has no control over it.

Maxine Singh, Commission Assistant Coordinator, said this came to the Commission office in November, 2005. The Consultant is going to meet this week with everyone. Five resumes have been received.

Commissioner Moore asked if Ms. Dorsett was involved in the salary description and increase recommendations for the level of salaries being recommended. Ms. Dorsett said she has been involved. It was based on a review and comparisons with other staff members. She felt the ranges being suggested are justified.

Commissioner Teel seconded the motion to table. Roll call showed: YEAS: Commissioner Moore, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: Vice Mayor Hutchinson.

Continued on page 22.

RESOLUTIONS

**Appeal – Planning and Zoning Board Decision - Modification (R-1)
To Site Plan Conditions – Amas Dev-Bontona, LLC –
309 Bontona Avenue – Case 1-R-02**

**Applicant: Amas Dev-Bontona, LLC.
Location: 309 Bontona Avenue
Zoning: RS-8, Single-Family Residential, Low-Medium Density District**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-54

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION NO. 02-59 APPROVING A MULTI-FAMILY STRUCTURE ON A WATERWAY AND YARD MODIFICATIONS LOCATED AT 309 BONTONA AVENUE, FORT LAUDERDALE, FLORIDA IN A RMM-25 ZONING DISTRICT AND AUTHORIZING AN AMENDMENT TO A DECLARATION OF RESTRICTIVE COVENANTS ON A SINGLE-FAMILY SITE DEVELOPMENT.

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

Broward County Metropolitan Planning Organization (R-2)
Second Amendment – Interlocal Agreement – Membership
And Name Changes

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-55

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO AGREEMENT BETWEEN THE CITY AND THE BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION (“MPO”) APPROVING REVISIONS TO THE MEMBERSHIP OF THE MPO.

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.

Disposition of Surplus Property – NW 13 Street between NW 8th (R-3)
And NW 9 Avenues – Common Area Pine Shadow Townhomes

Commissioner Moore said that he is concerned about the condition of the subject property. It seems the City has considered reducing the price so that it would be used for a common area of the site.

Mayor Naugle said one reason to transfer the property to the condominium association was so they would be responsible.

Commissioner Moore thought they should possibly meet with the residents on that particular street. The situation is sad. He wanted to discuss the situation and see what their maintenance plans are, along with their budget, and to in general make sure they are capable of maintaining it.

Commissioner Teel understood that the association has been dissolved.

Robert Dunckel, Assistant City Attorney, said one of the problems is that the association does not own the property, and therefore, cannot maintain it. The property would have to be used as common elements for the development, but the restrictive covenants that run with the townhouse declaration continue to run with the property after the tax deed sale. Therefore, whoever purchases it, has to use it in that manner.

Commissioner Moore was concerned about the properties surrounding the common area.

Mr. Dunckel said that improvements could not be made to the site at this time since it is owned by the City.

Commissioner Moore wanted some assurance that the association is structured with some management skills that will maintain the property and a fee capable of the maintenance.

Ellen Patterson, representing several unit owners of Pine Shadows, said they are working diligently and spending money to develop their homeowners association. Numerous meetings have been held with the unit owners and they intend to maintain the property. There will be a global association encompassing Phases II and III. They have started putting documentation together, hired separate counsel to put together their HOA, and in the process of deciding upon the assessments. Surveys have been done and it was agreed to grant the City a 20' easement.

Commissioner Moore was concerned if the association has yet to be created and the fee already agreed upon. He preferred to see the HOA created, the assessment put in place, and then the property could be turned out. To give the property and then find out the association did not do a proper assessment or offer proper management opportunities, is not the way to go about this.

Ms. Patterson said it is her understanding that tonight they are to simply surplus the property and set the minimum bid, and not yet hand over the property to the association.

Commissioner Moore said they are setting the minimum bid from an appraisal of \$50,000 to \$10,000. If that is done, then he wanted to make sure the association obtains the property and can maintain it. The association should first have their house in order. The property is not going anywhere until it is made surplus.

Mayor Naugle suggested this be put out for bid with the minimum bid, and language included if all suitable terms and conditions have been met. The association can put together their plan. If it does not look good and they are the successful bidder, the City could turn it down.

Commissioner Rodstrom agreed with the Mayor's suggestion.

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 06-56

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 PROPERTY BE OFFERED FOR SALE.

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

Review – EPA Underground Injection Control Rule - Increase Scope of Services – Troutman Sanders, LLP - \$55,000 (R-4)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-57

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR AN INCREASE IN THE SCOPE OF SERVICES, PROVIDING FOR HOURLY RATES AND A NOT TO EXCEED AMOUNT OF COMPENSATION TO BE PAID TO SPECIAL COUNSEL, TROUTMAN SANDERS, LLP, TO REPRESENT THE CITY IN ITS PETITION FOR REVIEW OF THE ENVIRONMENTAL PROTECTION AGENCY’S UNDERGROUND INJECTION CONTROL (UIC) RULE.

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.

Special Magistrate Appointments (R-5)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-58

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

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

Bank Signature Authority (R-6)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-59

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 4.01(c) OF THE CITY CHARTER, AUTHORIZING SPECIFIC CITY EMPLOYEES TO SIGN CHECKS FOR THE PAYMENT OF MONEY ON BEHALF OF THE CITY AND FURTHER PRESCRIBING THAT ALL SUCH EMPLOYEES SHALL BE UNDER FIDELITY BOND IN THE AMOUNT OF \$500,000.

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.

Continuation of Item O-2

In regard to Item O-2, Vice Mayor Hutchinson noted, after speaking with the City Attorney, the Commission department was not in the ordinance. By tabling it, the Commission would also be affecting the other departments included in the ordinance. Therefore, she suggested the matter be reconsidered.

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel to reconsider Item O-2.

Commissioner Moore said other employees would benefit from the change. His argument is that the Auditor should be on-board before any budgetary impact are addressed.

The City Manager said this is a good opportunity to understand the philosophy of the Auditor because at every meeting budgetary items are discussed. If the intent of the Auditor is that they not spending another nickel until he is on-board, and if it is also the intent of the Auditor position is that nothing would go through until that person signs off on every item, then he needs a better understanding of the philosophy. If so, they will have to significantly rethink the way business is being done. The City has a Budget Department and a Finance Department consisting of professionals who are the Commission's employees.

Commissioner Moore said he has a right as an elected policymaker of the City. He was elected by the people. The people suggested to him to be responsible of their money. This Commission and the past one suggested that things be done better through the hiring of an auditor. He spoke against that suggestion because he did not think it was a needed position, but the majority ruled. Now, that position has been created and fundamental changes are being made in the budget which impact the spending of the City, he believed that auditor should be on-board. The voters and the majority of the Commission have said this position should be in place. He felt it is time that everyone understands the position needs to be in place.

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

Vice Mayor Hutchinson introduced the following ordinance on first reading:

ORDINANCE NO. C-06-10

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SCHEDULE I OF THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY CREATING NEW CLASSES, CHANGING THE TITLE AND PAY RANGE OF A CLASS, CHANGING THE CLASS NUMBER OF A CLASS, CHANGING THE PAY RANGE OF A CLASS, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, AND AN EFFECTIVE DATE.

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

Advisory Board/Committee Appointments

(OB)

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

Beach Redevelopment Advisory Board	Carlos Molinet
Cemeteries Advisory Board	Richard Kurtz
Community Services Board	Duane C. Ingram
Education Advisory Board	Aaron Bass Elaine Schulze Michael Bacigalupi Alice Hendrickson
Board of Commissioners, City of Fort Lauderdale Housing Authority	Robert P. Kelley
Historic Preservation Advisory Board	Mary Jane Graff
Marine Advisory Board	Barry Flanigan Rick Schulze John A. Terrill
Planning and Zoning Board	Pamela Adams
International Swimming Hall of Fame Board of Directors	Commissioner Charlotte Rodstrom

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 06-60

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.

Commissioner Moore said he may have been out of the room when the person was appointed to the Northwest-Progresso-Flagler Heights Redevelopment Advisory Board, and therefore, he would like to have that board's appointments pulled and voted upon separately.

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.

Motion made by Commissioner Teel and seconded by Vice Mayor Hutchinson to approve appointment of Daniel Lewis to the Charter Revision Board.

Mayor Naugle felt the individual nominated does not possess the character wanted for this board. Therefore, he will vote no.

RESOLUTION NO. 06-61

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

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.

RESOLUTION NO. 06-62

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING JERRY CARATER TO THE NORTHWEST-PROGRESSO-FLAGLER-HEIGHTS REDEVELOPMENT ADVISORY BOARD AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only.

Commissioner Moore said he endorses Jerry Carter being appointed to the Northwest-Progresso-Flagler-Heights Redevelopment Advisory Board.

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

Motion made by Mayor Naugle and seconded by Commissioner Teel to appoint Mickey Hinton to the Northwest-Progressos-Flagler-Heights Redevelopment Advisory Board.

RESOLUTION NO. 06-63

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING MICKEY HINTON TO THE NORTHWEST-PROGRESSO-FLAGLER-HEIGHTS REDEVELOPMENT ADVISORY BOARD AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

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

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

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk