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FORT LAUDERDALE CITY COMMISSION
MAY 2, 2006**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
MAY 2, 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
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 Sergeant David Cortes

Invocation was offered by Dr. Edward Schindeler, Spiritual Assembly of the Baha'is of Fort Lauderdale, 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 Vice Mayor Hutchinson that the minutes of the April 18, 2006 Conference and Regular Meetings and agenda be approved. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel, Rodstrom, and Moore, and Mayor Naugle. NAYS: None.

Presentations

OB

1. The "League For The Hard of Hearing Florida Day"

Commissioner Moore and the City Commission issued a proclamation declaring May 2, 2006 as the "League For The Hard Of Hearing Florida Day" in the City of Fort Lauderdale.

Arthur Schur, Outreach Coordinator for the League For The Hard Of Hearing, thanked the City for the recognition. He said their mission is to improve the quality of life for infants, children and adults who have a hearing loss. They provide rehabilitation for such individuals and their families. His mission is to make the public aware of the state-wide tax supported Florida telecommunications relay no-cost telephone program and the hearing and human service programs available.

2. “Drinking Water Week” – May 7 – 13, 2006

Vice Mayor Hutchinson and the City Commission issued a proclamation designating May 7 – 13, 2006 as “Drinking Water Week” in the City of Fort Lauderdale.

Julie Leonard, Assistant Utilities Services Director of Operations, thanked the City for the proclamation. She said too often the importance of water is overlooked; everyone should help to conserve such a vital resource.

3. Muscular Dystrophy Association – Recognition of Fire-Rescue Department

Firefighter Kim Vansant, MDA Coordinator for the Fire-Rescue Department, presented the City Manager with a plaque recognizing the City’s support for MDA throughout the years. He also recognized John Bruce who is afflicted with MDA and is an active member of the Fire-Rescue Department, and his father Charlie who died in the line of duty in 1983.

Commissioner Teel and the City Commission accepted a plaque of appreciation from Jessica Roof, MDA District Director. Ms. Roof said the “fill-the-boot” program is a 51-year old Labor Day tradition throughout the United States, and the City’s Fire Rescue Department last year collected \$50,000 for MDA.

4. Outstanding City Employees

John Hoezle, Parking and Fleet Department, recognized Rene Jean-Francois, Parking Meter Mechanic, for his work ethic and positive attitude which is an inspiration for the department. His training has been completed in the mechanic progression series and he is ready to advance to the position of Parking Meter Technician.

Commissioner Moore left the meeting at approximately 6:22 p.m.

Assistant Police Chief Montagano recognized Officer Rodney Roper as Officer of the Month in his aid in preventing a deputy from being injured by a suspect.

Assistant Police Chief Montagano also recognized Wanda Sappington as Civilian Employee (Public Safety Aid) for the Month regarding her work in contacting a suspect involved in a hit and run vehicle and aide in the suspect’s arrest.

5. Expression of Sympathy

The Mayor and City Commission offered an expression of sympathy to the families of John Boyd Ogle, Elizabeth Hudlett, and John Payne.

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 – Haitian Flag Day
Closing Parade Route

(M-1)

A motion authorizing and approving execution of an Event Agreement with Divine Mercy Catholic Haitian Mission for Haitian Flag Day to be held Thursday, May 18, 2006, 12 Noon – 6 PM; and authorizing the closing of the parade route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0622

Event Agreement – Spring Fling Classic Car Show
Closing South New River Drive

(M-2)

A motion authorizing and approving execution of an Event Agreement with Downtowner Saloon, Inc. for Spring Fling Classic Car Show to be held Sunday, May 7, 2006, 8 AM – 6 PM; and authorizing closing of South New River Drive from Andrews Avenue to SE 3 Avenue, 6 AM – 6 PM on May 7, 2006.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0623

Event Agreement – Fleet Week Party
Closing of South New River Drive

(M-3)

A motion authorizing and approving execution of an Event Agreement with Downtowner Saloon, Inc. for Fleet Week Party to be held on Wednesday, May 3, 2006, 6 PM – 10 PM; and authorizing closing of South New River Drive from the Andrews Avenue bridge to SE 1 Avenue (1/2 block in front of the Downtowner). 12 Noon – 11 PM on May 3, 2006.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0624

Event Agreement – Tri Fort Lauderdale Triathlon**(M-4)**

A motion authorizing and approving execution of an Event Agreement with Friends of Birch State Park, Inc. for Tri Fort Lauderdale Triathlon to be held at Birch State Park, Fort Lauderdale Beach, and beach area streets on Sunday, June 11, 2006, 7 AM – 9:30 AM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0625

Event Agreement – Viva La Playa**(M-5)**

A motion authorizing and approving execution of an Event Agreement with Luz del Mundo (Light of the World), Inc. for Viva La Playa to be held at D.C. Alexander Park on Saturday and Sunday, July 15 and 16, 2006, 10 AM – 7 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0626

Event Agreement – Breakthrough Fort Lauderdale 5K Fun Run – Closing City Streets Along Route**(M-6)**

A motion authorizing and approving execution of an Event Agreement with Pine Crest Preparatory School, Inc. for Breakthrough Fort Lauderdale 5K Fun Run to be held at Coral Ridge Mall and neighborhood streets on Saturday, May 20, 2006, 7 AM – 9 AM; and authorizing the closing of City streets along the route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0638

**Grant Application – Project Speedtrap – Fiscal Year 2007
\$65,918 – Federal Byrne Memorial Justice Assistance
Grant Program****(M-7)**

A motion authorizing submittal of grant application in the amount of \$65,918 – Fiscal Year 2007 Edward Byrne Memorial/Justice Assistance Grant Program funds through U.S. Department of Justice to continue Project Speedtrap - \$27,529 cash match from the Law Enforcement Trust Fund.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0616

Settlement of Worker Compensation Claims (M-8)
WC-91-6584 & WC-97-9428 - \$50,000

A motion authorizing settlement of Workers' Compensation Claims WC-91-6584 & WC-97-9428 (Tara Mager) in the amount of \$50,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0598

Settlement of Worker Compensation Claim (M-9)
WC-87-4469 - \$100,000

A motion authorizing settlement of Worker Compensation Claim WC-87-4469 (Karen Bull-Metz) in the amount of \$100,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0599

Contract Default – Pino Kaoba & Associates, Inc. (M-10)
Bayview Park Improvements

A motion authorizing the proper City Officials to declare Pino Kaoba & Associates, Inc. in default of their contract for Bayview Park Improvements – Project 15010A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0576

Canal Interconnect Design - \$15,625 (M-11)
Interlocal Agreement – Broward County

A motion authorizing execution of Interlocal Agreement with Broward County to receive \$15,625 to design an interconnect between an Old Plantation Water Control District Canal and South Florida Water Management District C-12 Canal.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0592

Contract Award – Majestic Group Enterprises, Inc. - \$47,399 (M-12)
Street Closure – SW 26 Street at SW 8 Avenue

A motion authorizing the proper City Officials to award and execute contract with Majestic Group Enterprises, Inc., in the amount of \$47,399, for street closure on SW 26 Street at SW 8 Avenue – Project 11057.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0613

Task Order 16 – CMTS Florida, LLC - \$243,705.58 (M-13)
David Boulevard 24” Water Main – Package E

A motion authorizing the proper City Officials to execute Task Order 16 with CMTS Florida, LLC, in the amount of \$243,705.58, for utility construction inspection services – David Boulevard 24” Water Main – I-95 to South Federal Highway – Package E – Project 10553E.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0597

Change Order 4 – The Poole and Kent Company - (M-14)
\$60,586.95 – Fiveash Water Treatment Plant Upgrades
Phase 1 & 2 Calendar Days to Contract

A motion authorizing Change Order 4 with The Poole and Kent Company, in the amount of \$60,586.95 for additional work and the addition of 2 non-compensable calendar days for Fiveash Water Treatment Plant Upgrades Phase 1 – Project 10387.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0591

Change Order 6 – Lanzo Construction Co., Florida - (M-15)
(\$357,718) Credit – Shady Banks Basin B

A motion authorizing Change Order 6 with Lanzo Construction Co., Florida (Lanzo) in the amount of CREDIT (\$357,718) for quantity adjustments – Shady Banks Basin B – Project 10543B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0595

Change Order 2 – MBR Construction, Inc. - \$64,470.63 (M-16)
Sunset Memorial Gardens

A motion authorizing Change Order 2 to MBR Construction, Inc., in the amount of \$64,470.63 for Sunset Memorial Gardens – Project 10443.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0639

Potential Contamination – 941 SW 21 Terrace – Interplex Sun Belt, (M-17)
Inc. – Declaration of Restrictive Covenant and Supplement Agreement

A motion authorizing the proper City Officials to execute a Declaration of Restrictive Covenant and Supplement Agreement with Interplex Sun Belt, Inc. – remedial action to address potential contamination of property at 941 SW 21 Terrace and adjacent City property.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0261

PURCHASING AGENDA

Proprietary – County Jail Fingerprint (PUR-1)
Interface Project

Approval to purchase of an interface with Broward County Sheriff's Office (BSO) Jail for booking fingerprints and palm prints to a City's Police Department Latents Unit printer is being presented for approval by the Police Department.

Recommend: Motion to approve.

Vendor: Motorola, Inc.
Schaumburg, IL

Amount: \$48,400.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0609

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

State – Purchase of Additional Gatorhawk Vests**(PUR-2)**

Approval to purchase of additional Gatorhawk ballistic vests are being presented for approval by the Police Department.

Recommend: Motion to approve.

Vendor: G L Distributors, Inc.
Pembroke Pines, FL

Amount: \$58,500.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0596

The Procurement Services Department has reviewed this item and recommends awarding from the Florida State Contract.

Proprietary – Digital Multi-Space Meter Supplies**(PUR-3)**

Approval to purchase of supplies for the maintenance of 20 Digital Multi-Space meters is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Digital Payment Technologies
Burnaby, BC Canada

Amount: \$23,255.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0586

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

252-9205 – Seven Multi-Space Meters**(PUR-4)**

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

Recommend: Motion to approve.

Vendor: Digital Payment Technologies Corp.
Burnaby, BC

Amount: \$81,851.00

Bids Solicited/Rec'd: 344/5

Exhibit: Commission Agenda Report 06-0557

The Procurement Services Department recommends purchasing additional meters from existing contract.

262-9389 – Purchase of Dump Bodies and Hoists

(PUR-5)

An agreement to purchase dropsied dump bodies with hoists is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Advanced Truck Equipment Inc.
Boynton Beach, FL

Amount: \$74,915.00

Bids Solicited/Rec'd: 219/1

Exhibit: Commission Agenda Report 06-0565

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

542-9059 – Contract Addendum, Employee Benefits Consulting Services

(PUR-6)

Approval of addendum to current employee benefits consulting services contract is being presented by the Finance Department.

Recommend: Motion to approve.

Vendor: The Rhodes Insurance Group, Inc.
Fort Lauderdale, FL

Amount: \$20,000.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0470

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

572-7621 Contract Extension – Group Life Insurance Benefits

(PUR-7)

Request to waive formal bidding requirements and authorize extension of current contract for group life insurance benefits is being presented for approval by the Finance Department.

Recommend: Motion to approve waiver and extension

Vendor: More Financial Services, Inc.
Margate, FL

Amount: N/A

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0615

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

262-9337 – Rejection of Bids Submitted for Web EOC Software – Domestic Preparedness Bureau (PUR-8)

Approval to reject all bids submitted for the purchase of WEB EOC software is being presented for approval by the Procurement Services Department.

Recommend: Motion to reject.

Bids Solicited/Rec'd: 1163/2

Exhibit: Commission Agenda Report 06-0600

The Procurement Services Department recommends rejecting all bids submitted.

462-9422 – Rejection of Bids Submitted for Generator Repair (PUR-9)

A request for approval to reject all bids submitted for the purchase of repair services for a public works generator is being presented by the Procurement Services Department.

Recommend: Motion to reject

Bids Solicited/Rec'd: 54/2

Exhibit: Commission Agenda Report 06-0614

The Procurement Services Department recommends rejecting all bids submitted.

262-9443 – Purchase of Three Generators (PUR-10)

Purchase of Three Generators – (1) 350 KW generator for City Hall and (2) 450 KW generators for Police Station is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Florida Detroit Diesel-Allison, Inc.
Miami, FL

Amount: \$272,326.00

Bids Solicited/Rec'd: 556/3

Exhibit: Commission Agenda Report 06-0605

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

452-9213 – Increased Expenditure for Lime Sludge Removal**(PUR-11)**

Approval to increase expenditure for lime sludge disposal at Peele Dixie Water Plant is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: DRD Enterprises, Inc. of Davie
Plantation, FL

Amount: \$41,250.00 (estimated)

Bids Solicited/Rec'd: 153/2

Exhibit: Commission Agenda Report 06-0610

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

Purchase of Technology Integration Services**(PUR-12)**

Approval of one-year contract for purchase of technology integration services is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Government Technology Services, Inc.
Chantilly, VA

Amount: Per unit prices

Bids Solicited/Rec'd: 21/1

Exhibit: Commission Agenda Report 06-0611

The Procurement Services Department has reviewed this item and agrees with awarding from the Fairfax County Contract.

462-9355 – Increase Expenditure for Electrical Supplies**(PUR-13)**

Approval to increase contract expenditure for purchase of electrical poles, globes and brackets is being presented by the Public Works Department.

Recommend: Motion to approve.

Vendor: Torres Electrical Supply Company, Inc.
Stuart, FL

Amount: \$18,816.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0657

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

Event Agreement – Tri Fort Lauderdale Triathlon (M-4)

Mayor Naugle said that this item has been removed from tonight’s agenda.

Contract Default – Pino Kaoba & Associates, Inc. (M-10)
Bayview Park Improvements

Mayor Naugle said that this item has been removed from tonight’s agenda.

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

RFP 362-9442 Inspection Services (Walk-On)

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel to approve a contract being awarded to CSA Southeast, Inc. and Capri Engineering, LLC to provide inspection services and to authorize the Director of Procurement Services to execute term extensions of said agreement, all in accordance with the terms, conditions and specifications of the agreement where allowed and when in the best interest of the City. (See Memorandum 06-18) Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

MOTIONS

NE 6th Street – Sistrunk Boulevard Streetscape Enhancement Project (MD-18)

Vice Mayor Hutchinson left the meeting at approximately 6:24 p.m. and returned at approximately 6:25 p. m.

Al Battle, Director of Community Redevelopment, said the Commission instructed the City Manager to have staff meet with Broward County counterparts to discuss the two-lane project that had been presented at a previous meeting, as well as the three-lane proposal presented at the County meeting on April 18, 2006.

Commissioner Moore returned to the meeting at approximately 6:26 p.m.

Mr. Battle said that tonight the Commission would hear the County’s presentation on this matter, but Staff still has several questions and need for clarification.

Mayor Naugle welcomed Broward County Commissioner John Rodstrom.

Commissioner Moore asked for further clarification as to what is contemplated tonight.

Mayor Naugle said that the County would make their presentation and then discussion on it would take place.

Commissioner Moore asked if anyone from the audience has seen the County's proposal. He felt it is inappropriate for the County to make a presentation before the public has any idea of what it is. It would be more appropriate for the presentation to first be made to the community. Comment should not be made until a thorough workshop of the two presentations has occurred. Earlier today the Commission decided against such a workshop, but as long as the Commission is not taking any action on this matter tonight, then he did not think it would be harmful to see the presentation. The community needs to have a public workshop on the two presentations so a thorough review and comment could occur. He asked if this procedure would be followed.

Mayor Naugle understood that the presentation would be made tonight. Commissioner Moore further understood that the community would hear both plans and have a workshop to discuss them. Mayor Naugle agreed. He indicated they would discuss where to go from here.

Broward County Commissioner John Rodstrom said the County Commission also heard this modification for the first time and has not had a lot of time to discuss it either. They felt it is important that they demonstrate to the City that they want to reach a solution quickly. He thanked the County Administrator for the quick turnaround by County staff on the modification. He said the County Commission has scheduled a meeting on this matter, but should this Commission decide that more public hearings are needed, they should submit a letter to the Mayor, stating so and that when the issue is ready for presentation, it would be scheduled before the County Commission.

In regard to the \$2.5 million federal grant, County Commissioner Rodstrom indicated that Congressman Hastings has advised the County that if the City Commission does not adopt the plan as submitted (2 lanes), then the monies would be in jeopardy or taken away. County Commissioner Rodstrom indicated that he advised the County Commission of this today. It is his intent to backstop the \$2.5 million. If the City embraces this plan, he would do his best and bring forward a request for \$2.5 million to backstop the federal money.

Commissioner Moore said the \$2.5 million is the first phase of funding from the federal government, and another \$7.5 million is proposed. County Commissioner Rodstrom said the proposal has not been adopted as far as the two-lane plan. They hope to make modifications so they could apply for additional funding that may be available. The original \$2.5 million was set in stone. He thought that any future monies could probably be adapted to it.

Bertha Henry, Broward County Administrator, said the City and the County both want to see the Sistrunk area redeveloped. The City developed a plan for reshaping the corridor which addresses infill housing, business development, and the revitalization of Sistrunk Boulevard as a destination, capitalizing on the rich history of the area versus solely a

pass through for downtown commuters. The County also wants to revitalize Sistrunk. They have more than a passing interest as to what will happen on Sistrunk Boulevard because they are investors. The adjoining unincorporated community is one that they have embraced and are working to address housing needs in that area. Parks have been upgraded, along with the addition of community centers and libraries. Public access to the river has been provided. They are a significant contributor to the CRA, \$7 million. The County feels that both the County's and City's objectives can be reached.

Ms. Henry said they are proposing a modified two-lane alternative, and a detailed explanation can be provided if the Commission desires one. Staff attempted to work on a compromise. There was not a lot of time to do so. This is a plan that implements the vast majority of what the City and the CRA are attempting to implement. She showed some renderings of the project. Westbound implements the City's desires and the County does not envision any changes for the westbound direction. Discussions were held with City staff in regard to reducing the total number of bus stops. The County agreed to reduce them. The County does not see any need to modify the City's plan regarding the median strip. With respect to eastbound, on-street parking can be accommodated without creating impediments in the road which create permanent movement. There is the ability to provide parking after 9:00 a.m. to 6:00 a.m. the next day. For three hours of the day, eastbound traffic would move. Otherwise the street is available for parking.

Ms. Henry said that they have heard that it is difficult to park on the road because of speeding cars. Therefore, they suggested that the road be reduced. The City proposes reducing the road to 11 feet, and the County is proposing that the road could be reduced to even further to 10 feet. If that is done, it is a natural way of slowing down traffic. The County felt it is important that the parking lane have a different look from the regular roadway providing the feel that parking is there. They also looked at beautification improvements along the sidewalk, and felt any beautification initiatives proposed by the City those could be accomplished.

Ms. Henry said comments were made about redeveloping the area, along with the importance of economic development. The County agrees it is important and their efforts in the unincorporated area are intensifying. They feel they should be partnering with the City since their CRA is next door to the City's CRA. The City's CRA market area includes the unincorporated area, and the viability of the businesses depend upon those areas. Housing is being stepped up in the unincorporated area. Over the next six months, there will be another 100 housing units in the unincorporated area that surrounds the Sistrunk corridor. The County believes they should also be partnering with the Downtown Development Authority. They believe everyone should be working together because the projects could be integrated. Everyone agrees that the parking received from off-street parking for the implementation of the plan or the City's two-lane plan would not be sufficient to support the businesses, and therefore, additional parking initiatives will have to be supplied. They are prepared to discuss this.

Ms. Henry said they are involved in the corridor and are a partner, and want to see this project move forward as quickly as possible. They see this as a compromise to be made and feel it is 95% toward the goal, while still supplying the opportunity for them to partner in other initiatives that would also benefit the corridor.

Commissioner Moore was happy to see that the County is willing to work with the City regarding redevelopment of economic development. He referred to one example, the African American Research Library. He asked how much money the County has invested in their CRA for economic development.

Ms. Henry said their first objective was to stabilize the neighborhoods, and their focus has been to purchase properties in the CRA which are non-conforming and do not benefit the community. Their focus has also been to supply funding for individuals in the community to purchase homes. The next phase will be to address the economic development issues.

Commissioner Moore asked if the County has a director for their CRA. Ms. Henry said Cynthia Chambers is their point person. Commissioner Moore asked if Ms. Chambers has ever met with Mr. Battle regarding their economic development efforts. Ms. Henry confirmed they have met.

Commissioner Moore said that Sistrunk Boulevard is a County roadway. Under the three-lane proposal, he asked if it would still be considered such. Ms. Henry said it would no longer be a County roadway; jurisdiction would be given to the City. Commissioner Moore asked if the City would have to accept the County's terms for the road to come under their jurisdiction. Ms. Henry said the County has attempted to replicate as much as possible what the City wanted to do for the roadway, and they believe they have accomplished about 95%. Since the initial proposal involved transfer of the roadway, they would comply with that request. In this instance, the City would not be able to do what it wants with the roadway once transferred to its jurisdiction.

Commissioner Moore asked how much money the County has spent on this roadway in the last 5-10 years. Ms. Henry offered to obtain that information. Commissioner Moore understood that the City has maintained this roadway since 1988, including day-to-day cleanup and median maintenance. There appears to be two standards of maintenance, and to the west from 27th Avenue to 31st maintenance is not being done. It appears that the County only blacktops the area every 15 years, and the general day to day maintenance is being done by the City.

Commissioner Moore asked, with the County's proposal of three-lanes, how many parking spaces would be created. Ms. Henry said they have looked at the total number of bus stops along the east and west corridors. They would eliminate 4 stops going east and 3-4 going west. It would be a joint effort as to where the bus stops would be placed so they could take advantage of the amenities being proposed by the City. Commissioner Moore asked if the County is agreeable to reducing the number of bus stops while still supplying sufficient services to residents along the corridor. Ms. Henry confirmed that is correct. Commissioner Moore asked how many parking spaces would be created with the County's proposal. Ms. Henry said for the north side, they are in agreement with the City's proposal, and on the east side, it would be a matter of mathematics. By not having some of the cut-outs, they would have more parking spaces than the original City proposal. Ms. Henry said that specified number of parking spaces is not yet available because they feel it is important to talk with the City regarding spacing issues and the location of certain amenities. Their goal is to maximize the number of parking spaces along the roadway, while still accommodating the passengers using the bus service.

Commissioner Moore asked if the requirements provided to the City had not been provided to County staff. When the City was developing its proposal they had to supply the number of parking spaces, curb cut outs, curbing and there was even an argument about 1/8 inch of the sidewalk. If everyone is supposed to be partners, then they have to be fair and deal with the facts. In reference to the comment to rush this, he pointed out that this was prepared two years ago, but there were delays in appearing before the County Commission. Now, an alternative plan is being provided which does not appear to have the same standards placed on the City by the County.

Commissioner Moore further said that the cut-thru traffic was a great concern with the City's plan. He asked if there has been any impact of the County's plan in the surrounding neighborhoods. Ms. Henry said in putting this plan together, they never said it was to be perfect, but they have attempted to see when traffic would most likely adversely affect the neighborhoods. Going east in the morning, the neighborhoods would be more likely affected, and therefore, the 6 a.m. to 9 a.m. restriction would be in place. In the evening on the west side, there are some natural barriers that might slow down the traffic, but they are not saying that there would not be any cut-thru traffic. They feel it could be minimized. Commissioner Moore said the three-lane plan would not require any mitigation proposed by the City – roundabouts, speed humps and so forth. He asked if the County's proposal was used, would the mitigation be required. Ms. Henry said they hope as they continually assess the situation and if they find the traffic problematic, then something would be done to avoid such situations in those communities. Data has been reviewed and peak times checked as to when the traffic would adversely affect the neighborhoods to the south, and again that would be in the morning and evening. Peak traffic is spread out, but at some point in time forms of mitigation might have to be addressed. Commissioner Moore said that is the same response that the City gave to the County in connection with their two-lane proposal. When the County said such a response was not appropriate and mitigation had to be addressed, the City hired a consultant who provided various methods of mitigation, and that was part of the reason for the delay. A mitigation plan has been created for the neighborhood so there would not be any cut-thru traffic. He said the County engineers' comments at the last meeting were: "Oh dear, you have Walker Elementary School there, and we're thinking there's going to be 100% increase of traffic in front of the school if you were to do your plan." But their plan does not address it at all. Commissioner Moore felt Ms. Henry has it right in thinking that because the traffic would be two lanes from the time she proposes that it would lessen the impact. But he wanted everyone to understand.

Commissioner Moore referred to the cost of doing this, and asked that since it is not the City's plan, is the County making the improvements or are they still requesting that the City utilize their monies. Ms. Henry said it is their intent to transfer jurisdiction of the roadway to the City CRA. She would also argue that the County is contributing through their contributions to the CRA. Commissioner Moore said when the City's CRA was created, all of the new taxes created through the development stays within that community and no longer is shared with the County. Such monies must be used for improvements in that community. It was created as a redevelopment tool under State Statute 163. They used this because they were always fighting to find money for projects where the County did not give help.

If the roadway is given to the City and the jurisdiction is indeed the City's, Commissioner Moore asked if they would have to follow any recommendation of the County.

The City Attorney said the roadway classification is done by the State. In order to change the classification, it would require an agreement between the County and City. Once transferred, other than strings attached to the money, he did not know of any mechanism whereby the County would retain any control.

In response to Commissioner Moore, Ms. Henry said if the County transfers jurisdiction of the road, they would look at some sort of reverter that addresses how the property could be used. Commissioner Moore concluded the City would have to follow the County's direction or they would take back the road. He said that no one is 100% on the two-lane or three-lane proposals. There have been over 118 community meetings regarding this project. Two-lanes was decided so there would be dedicated parking and a destination rather than a pass through. He asked if the proposal would remedy the delivery truck situation which appeared to be of some concern during the last discussion. Ms. Henry said that it does remedy the situation on the east side since most deliveries are made in the morning. It would replicate the existing situation. Commissioner Moore said they thought that delivery trucks could use side roads and alleyways.

Commissioner Moore asked if there is anything in the County's proposal addressing the signalization allowing traffic to move more smoothly through the community. Ms. Henry indicated it is addressed. Commissioner Moore asked if they are also addressing emergency vehicles. Ms. Henry understood that pre-emption equipment is being used near hospitals and those types of situations. She was not aware that such technology would be available for every stop, but it could be looked at. Commissioner Moore said it does not appear to be a concern to the County that emergency vehicles would be able to navigate along this roadway without such enhancement. Ms. Henry said the County is concerned. By implementing the City's proposal on the westbound, it would still present a problem when traffic is at its peak. Commissioner Moore asked if the County would work to find a method to deal with such technology and enhance such safety. Ms. Henry said part of the problem in using pre-emption every time is that signalization is thrown off every time that happens. Today there have been specific corridors identified by the firefighter and paramedic associations for such technology. She was not aware of a plan that such technology could be used anywhere throughout the City. Commissioner Moore said that emergency vehicles would be able to navigate a two-lane roadway. Ms. Henry said they would not be able to navigate as freely as in the past.

Commissioner Moore said there are still some issues which require further discussion, including the actual number of parking spaces to be provided, mitigation for the neighborhood, and whether there is an optimum opportunity for revitalization. It appears the County is saying they are willing to further discuss these items. He recommended that a public workshop be held to discuss the two-lane and three-lane proposals. If the \$2.5 million of federal monies are lost, County Commissioner Rodstrom has stated that the County would replace those funds, and there would be the opportunity to address the proposed \$7.5 million coming down the pike. Funding from the Federal government was based upon two-laning. Through the CRA, there is \$9 million, and with the federal monies of Congressman Hastings, there would be an additional \$2.5 million, along with State funding from Dawson and Smith, there would be another \$600,000 to \$700,000. There is \$12 million in the pocket for this project. Two years has been lost.

Mayor Naugle said the City struggles to keep traffic out of the neighborhoods throughout the City. Consistently the City's strategy has been to keep the traffic on the major

thoroughfares. Many of the schools are on residential streets. In this instance, they are discussing closing down the thoroughfare. He was concerned that traffic would be forced through the neighborhood. He asked if the 6 a.m. to 9 a.m. two-lanes eastbound would result in less traffic through residential areas and near schools.

Ms. Henry said that they reviewed the statistics regarding the bulk of traffic and when both lanes are fully utilized, and it shows that is occurring in the morning peak. If one lane was not available, then traffic would probably meander through the neighborhoods which has been demonstrated over and over.

Mayor Naugle felt the modified two lane plan proposed by the County is more consistent with how other neighborhoods have been treated. He did not want to see a variation from that practice and have one neighborhood treated differently. Some people wanted to narrow Las Olas Boulevard to two lanes and the Commission resisted it because it would force traffic down 15th and 16th avenues. He feared that some streets surrounding Sistrunk Boulevard would get the cut-thru traffic and it would be detrimental to those neighborhoods. He felt the notion that Congressman Hastings would punish the City for making a minor change is not realistic. He felt it is noble that the County would step in those shoes and make up for it, but he did not imagine the Congressman doing this. The big advantage of the narrowing is for real estate development.

Ms. Henry said that when the County Commission addressed this issue, they also felt that community input was important, and therefore, they are open to having a joint public meeting. It would be hosted in the community where it would be convenient for everyone involved.

Ray Dettman said he likes living here and feels they should be known as an all-inclusive city. He wanted the Commission to keep this in mind. As a resident, he wanted Sistrunk to be revitalized. The one-lane with cut-out landscaping should be done on both sides in order to make the road pedestrian friendly and safe. He did not, therefore, agree with the County's proposal. He felt they deserve more federal monies and did not want to lose any of it. Stakeholders have bought into this project, and now the game is being changed. He asked why changes are being made since the prior Commissioner had agreed to this plan. It is obvious that the County and City do not work together. At the end of the game the County is proposing changes which are going to cost money. He urged the Commission to let this project move forward.

Pastor Allen Jackson understood the main reason for having single-limit districts which he thought was to allow the person elected by the people in that area to represent them. He understood the political protocol and courtesy given to the elected official of the district by their fellow commissioners. He understood and respected the politics of the unspoken motis operandie and understood that unless the majority of people want something different from the elected official, then and only then should fellow commissioners get involved in a more objective manner. He does not understand why the voice on the dais is being challenged by other commissioners, or why their vote is being discredited by other commissioners. He does not understand why the elected official chosen by the majority of the community is being disregarded, or why when black people meet all requirements and requests, rules appear to change. The money and support is there for the Sistrunk project, along with support from the community, but rules keep changing. He asked for the Commission to stop playing politics and operating by personal vendettas, and disrespecting the voice of the people in whom they

have elected, and move forward with the plan. He said all people do not appreciate or accept President Bush, but the majority voted him in. The majority have voted in Carlton Moore, and he asked that the Commission not discount their voice and representation and take away what is wanted by the community based upon what the County is saying they would probably do.

Gwen Watson said she is representing the Greater Fort Lauderdale Chamber of Commerce. She also chairs the Minority Business Development Committee and is a member of the Board of Directors. The Chamber since 2000 through its Minority Business Committee which consists of business leaders, community and civic organizations, as well as residents and business owners of the northwest section of the 33311 zip code area, have been working to bring the time, talents and commitment of community stakeholders to bear on issues related to the revitalization of Fort Lauderdale's urban neighborhoods. In April 2000, the Minority Business Committee supported the Northwest-Progresso-Flagler Heights CRA Strategic Plan which established a focus on key geographic areas, which created guidelines and acted as a foundation for the redevelopment goals and objectives. The Sistrunk Corridor Transportation Equity Coalition agreed unanimously there was a strong need to create a more pedestrian friendly approach. She said she would keep coming back until the Commission plays fair in the sandbox. Everyone wants redevelopment and they are only asking for a level playing field, get moving with the plan and listen to the community.

Gino Jamison felt like he is in the last two minutes of a warning drill of a game due to the fact that the third option came up at the final two minutes. His constant plea is that they try and develop a model city where people would be willing and happy to come here to live. One piece of the puzzle missing in the model city concept is African-American flavor. If they fail to develop Sistrunk to its fullest capacity, there would be an impact for a long time. They are trying to preserve their history so all ethnic groups residing in the City could be represented. By bringing Sistrunk to three-lanes, cut-thru traffic would still continue to the downtown. By narrowing the road to two lanes, they would be able to preserve history through a concept called Black Walk Through History which would commemorate the achievements of black individuals all over the world by placement of medallions in the sidewalk. It is important that community input be provided. He did not think input is sought from this particular community.

George Burrows, resident of Dorsey-Riverbend, said he was born here and has a business on the 6th Street corridor for over 50 years. People who have moved away from this neighborhood need to come back and help revitalize the area. He asked for the Commissioners to search their hearts so a plan could be adopted that would benefit small entrepreneurs so the area would be a model community for others to follow. A few people may talk against the model, but they do not have any interest on 6th Street. He did not think there would be cut through traffic through the neighborhoods. Plus the speed limit in the neighborhoods is 25 MPH and there are speed humps. He wanted to develop and advance his business while making 6th Street more pedestrian friendly. Things were taken away from the area when urban renewal occurred. He asked the Commissioners to give the community the plan they are requesting.

Stephanie Jean, Aide to Congressman Hastings, said the Mayor Naugle mentioned that he was concerned about a threat made by Congressman Hastings. She referred to Mayor Naugle's comment that if Congressman Hastings could not get the funding, he

would ask Congressman Shaw. She was willing to provide a lesson to the community on the appropriation process.

Ms. Jean said there has never been a threat from Congressman Hastings. The City came to D.C. and presented a plan. Congressman Hastings secured, through the appropriation process, \$2.5 million for that specific use, but the money is in danger of being lost if the City does not continue with that plan. The appropriation process was explained, and then the Mayor said that Congressman Shaw would be able to obtain the funds. She said again that someone from Washington who works on the Appropriations Committee would be willing to come here and explain the process to the City and the community. There is no threat from Congressman Hastings. It is just part of the appropriations process. Money not used does not get saved and only goes back to the general pot.

Mayor Naugle said that Ms. Jean is misrepresenting what he said. He felt the County's modified plan is a two-lane plan and it would qualify. When this was first presented to him, it was a four-lane plan. The way it was written did not spell out two lanes all of the time. Individuals with more years of experience than Congressman Hastings has indicated it is not restricted to such level of detail. It would be unfortunate if the Congressman punished the community for some Commissioners looking out for surrounding areas.

Commissioner Moore did not want anyone to think that the majority of the Commission or himself feels that Congressman Hastings is not one of the highest intellectual beings in Congress. The Mayor might think that the Congressman does not understand a process of which he has been a part for over a decade, as well as being an individual of highest intelligence, then he apologizes. The Mayor's comment is not a reflection on the entire Commission. He knew that Congressman Hastings understands the job he has been elected to perform.

Jessie Adderly said she wants to speak for the individuals who oppose the two-lane proposal for Sistrunk Boulevard. She felt the three-lane plan needs work. Between 3 p.m. and 5 p.m., traffic is backed up with the existing four lanes. Therefore, She questioned how two lanes would work. She commented that Commissioner Moore was elected for the district, but that does not appear to be working for all the people in the district because it appears only the investors are being considered. She felt that taking buses away would be a travesty. The majority of the public have not been involved in the meetings over the years. She felt when workshops are held, people will attend. There are businesses now who oppose the two-laning.

Mayor Naugle asked if Ms. Adderly believed that this plan is being done to force some individuals out of business. Ms. Adderly believed this to be true. It will impact the neighborhood.

Commissioner Moore said many individuals believe that the actions of narrowing this roadway is to force out some. Many people deal with fear and misinformation. He proceeded to show the businesses that are not in support of the narrowing. Some misinformation that is going around is: funeral possessions will not be permitted on the roadway; Ivory's Take-Out would be out-of-business, but their problem is parking and this plan would provide parking for that establishment on the roadway; Regal Trace residents would not be able to enter and exit their complex, but narrowing the roadway

would keep traffic out of Regal Trace; ambulances would not be able to service the area; the funeral home would be put out of business, and no grocery stores would open in the area; Bass Brothers would no longer exist; Mizell Funeral Home will close; fewer bus stops for children, women, and the elderly, but no one addressed the canopied roadway to be provided and the shelters at the bus stops; traffic would be redirected through residential neighborhoods; Lucy's would have to close; accidents will increase; there will be more smash and grab robberies; beauty shops and barber shops will be put out of business. This is the kind of comments that have been engineered by people in leadership roles. He referred to Bass Brothers and the loitering around it that makes others not want to invest in the community. He referred to Ray's Meat Market and the liquor being consumed outside. He said that people do want this removed. Grants are available for façade improvements, but some do not take advantage of those grants, but they park on the sidewalks, making it less likely for pedestrian traffic. He noted a delivery truck that parks on the sidewalk or on the lane. People do not want this. Palm trees were planted along these businesses and they chose not to water them. People want the area to be Afro-centric, a destination and a place to be proud of and not a place to rush to another's business. These businesses need to shape up and be a positive to the community or leave. They are doing this because the opportunity to proceed with the project is not happening. Businesses cannot expand because they have no parking.

Roosevelt Walters, 1509 NW 4th Street, said most of the traffic coming through Sistrunk does not come from the community but from other places. If the road is narrowed, those individuals would find other ways to get to the downtown.

Commissioner Moore left the meeting at approximately 7:40 p.m.

Mr. Walters said pre-empted signalization has been in use for a long time. He did not see the east side being pedestrian friendly in the mornings. He wanted pedestrian friendly streets at all times. He felt if they wait until everyone is onboard, then nothing would ever get done.

Commissioner Moore returned to the meeting at approximately 7:44 p.m.

Ginnie Brooks, President of Dillard Park Homeowners Association, said she is an advocate for the community because she wants the best for it. She does not own property on Sistrunk. It is disgraceful, shameful and almost sinful how the two Commissions have discounted the voice of the community. The prolonged delay of the redevelopment of this corridor is to satisfy political agendas. She referred to recent petitions. She talked with a business that was against the narrowing and the business proprietor said it was because people had approached him and said if the road was narrowed, he would go out of business. When she explained the vision and the money that would be available, he indicated that he would sign a petition in favor of narrowing the roadway. She referred to another individual who signed a petition in favor of the narrowing, and a later petition in opposition showed the name of that individual's business, yet he said he never signed it. Some signatures on the petitions in opposition to the narrowing are not valid. In response to Mayor Naugle's question, Ms. Brooks offered to meet with the Mayor or any Commissioner and indicate to him the name of the businesses. Ms. Brooks looked forward to the public meetings that will be held. She hoped that the Commissions listen to the community.

Laronda Ware, President of Dorsey-Riverbend, felt the residents need to be listened to. Some of the establishments on the corridor do not treat the people or the community with respect, and therefore, they need to go and better establishments need to come in and service the community. It is time for improvement. It is time to cleanup Sistrunk. The residents have waited too long. She urged the Commission to do the right thing.

Mickey Hinton said many things occur in the northwest section of the City. He was concerned about contamination in the neighborhood. It will take a long time to improve the area. There are lots of problems besides the road. No one is concerned about other problems. The road should be left as it is and other problems addressed.

Joe Major, 3410 NW 5th Court, was concerned about democracy. The citizens spoke out through legal petitions. They do not need to compromise. A majority is supposed to rule and not the minority. The same blacks are constantly benefiting from the finances of every transaction that occurs. There is something wrong and it needs to be corrected. He referred to Commissioner Moore's presentation and that businesses associated or near the Commissioner were not mentioned. He was concerned that his call to the City Manager was not returned. He was concerned about businesses having to qualify for parking, but others who know Commissioner Moore do not have to qualify. An investigation of the CRA should be conducted. The County heard the people and he wanted to know why people would want to invest in a city that was flagged for discrimination against black people. He said being black comes from the heart and following everyone to disruption is not a way to be black.

Edna Elijah, President Lauderdale Manors Homeowners Association, indicated that she represents 2,400 residents, the largest community in Fort Lauderdale. She urged the Commission to do what the community is asking for and follow Commissioner Moore's plan. Some of the old businesses need to go. People want two lanes. The road needs to have a calmness and the neighborhood needs their neighborhood back.

Sonya Burrows, resident of Dorsey-Riverbend, said her father has a business for the last 58 years on Sistrunk. She remembered Sistrunk when it was a thriving community. The entrepreneurs were inspirational, and she wanted to see that return for the youth of today. Since the people have spoken regarding their desire for a two-lane roadway, but a three-lane plan has been proposed. She wanted to know the quantitative benefit for three lanes as opposed to two lanes.

Mayor Naugle said that question would be answered during the public workshop.

Mayor Naugle asked the Commission about the workshop and if it should be coordinated with the County.

Commissioner Moore said he wanted the County to address all the questions placed on the table tonight, and that a date be scheduled for the workshop. He asked if the workshop could be held on a Saturday so more people could attend. He asked that Mayor Naugle write to the County, asking that they not discuss this proposal until the workshop is held. He believed that a number of County Commissioners wanted public input before their discussion. An evening was suggested. May 11, 2006 at 6:00 p.m. was chosen as the date for the workshop at the African-American Research Library or the Mizell Center.

PUBLIC HEARINGS

**Future Land Use Plan – Small Scale Map Amendment (PH-1)
3.38 Acres – Medium High Residential To Commercial –
Case 2-T-05**

**Applicant: Marina Mile Properties, LLC
Location: 2075 West State Road 84**

Commissioner Moore left the meeting at approximately 8:08 p.m.

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

Vice Mayor Hutchinson introduced the ordinance on first reading:

ORDINANCE NO. C-06-11

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA,
AMENDING THE 1999 FORT LAUDERDALE COMPREHENSIVE PLAN
TO AMEND THE FUTURE LAND USE PLAN MAP LOCATED ON
STATE ROAD 84 BETWEEN I-95 ON THE WEST AND THE OSCEOLA
CANAL TO THE EAST FROM MEDIUM HIGH RESIDENTIAL TO
COMMERCIAL.

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

**Comprehensive Plan Text Amendment – South Regional (PH-2)
Activity Center – Adding 475 Residential Dwelling Units –
Transfer From Flex Zone 56 – Case 5-T-05**

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

Vice Mayor Hutchinson introduced the ordinance on first reading:

ORDINANCE NO. C-06-12

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA,
AMENDING THE 1999 FORT LAUDERDALE COMPREHENSIVE PLAN
TO AMEND THE FUTURE LAND USE ELEMENT OF THE
COMPREHENSIVE PLAN TO INCREASE PERMITTED RESIDENTIAL
UNITS IN THE SOUTH REGIONAL ACTIVITY CENTER FROM 461 TO

936 BY TRANSFERRING 475 UNITS FROM FLEXIBILITY ZONE 56 TO
THE SOUTH REGIONAL ACTIVITY CENTER.

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

Rezoning to Planned Unit Development, Site Plan, Flex Allocation – Multi-Family Residential Units – 2950 NE 33 Avenue – Case 2-ZPUD-05 (PH-3)

Applicant: Miceal O’Leary/A1A Condominiums North Parcel

James Cromar, Planning and Zoning Department, said this is a request for a rezoning to a PUD, including the allocation of 32 flex units. The Applicant has responded to criteria requirements of the Code, provided to the Commission.

Robert Lochrie, representing the Applicant, said that staff’s report includes information that the Applicant believes justifies the rezoning. The property is located in what is presently known as the Bridgeside Square **is this correct area - Correct** and is directly to the south of 30th Street, west of A1A, and east of 33rd Avenue. The property is unique since it straddles two zoning districts, along with two land use categories. Approximately one-third of the property contains a County land use category of 50 units per acre, a City land use category of 60 units per acre, and a zoning category of RMH-60. The zoning was changed several years ago reducing the units from 60 to 48 units per acre, but this is still the most highly intense residential zoning district. The remaining portion of the property consisting of 72% is zoned CB, which allows all types of commercial uses and residential use.

Mr. Lochrie said the project will consist of 57 residential units with 51 units in the central portion of the project, and six townhomes along 30th Street. He proceeded to show graphics of the project.

Commissioner Moore returned to the meeting at approximately 8:13 p.m.

Mayor Naugle said that individuals wishing to speak on this matter need to be sworn in.

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

Mr. Lochrie further said that the CB zoning district permits a maximum height of 120’, and the RMH district also permits a maximum height of 120’. The setbacks in the CB zoning district are only 5’ from the adjacent streets at the street level, and above that there is a zero foot setback. They believe it is important for this project to be designed setting back from the street. The residential high rise portion of the project consists of nine stories and is located 50’ from A1A, 50’ from 30th, and an excess of 76’ from 33rd allowing for a significant amount of open space around this portion of the project and minimizes impacts on views from adjoining properties. Renderings were shown of the subject project. A central plaza area is being incorporated with shade structures for a bus stop, along with additional landscaping along A1A, and a water feature and a fountain adjacent to the building. Sidewalks will be renovated along 30th and around to 33rd. Pedestrian connections to adjoining properties will be included to the north and

east. There will be additional street trees. By avoiding certain encroachments and pushing the building as far to the south as possible and reducing the length of the building, they are preserving views.

Mr. Lochrie said the project consists of a contemporary design with a nautical feel. They are asking for the PUD rezoning because in their opinion the existing zoning and land use categories would result in a product that would be inferior to what is being presented today. He noted that they have met with various neighborhoods on this project. The Applicant has agreed to comply with the City's program involving a special assessment for properties along 33rd requiring contributions towards improvements to that street.

Mark Hariton, resident of Berkley South, said his first knee-jerk reaction was in opposition to this project, but after attending meetings with the developer, he changed his mind and is now in favor of it. The developer has made many changes, providing a more attractive project for the neighborhood.

Mark Gordon, resident of Berkley South, said the building as presented is architecturally attractive; the developer has attempted to address various concerns that have been raised. However, he is opposed to this project in principle because it undermines City zoning principles. There are strict zoning requirements on the barrier island, and this project would gut such requirements. He thought a PUD was used to address blighted communities, and he did not feel this would be appropriate zoning. He asked if the Commission approves the project, they should do so on some sort of unique basis because otherwise other developers will pursue a PUD. He also thought a PUD was to provide several amenities, which he did not think is the case in this matter. Consideration should be given to precedence.

Robert Sears, President of Berkley South Homeowners Association, said he fought development on the barrier island for many years until this project was presented. This is a unique project. The developer met several times with the homeowners; listened to the concerns raised and responded with changes. He was pleased to have the townhomes proposed. The design is elegant. He felt this project would greatly enhance the area and help with the pedestrian aspect. A letter was sent by the Berkley South Board in support of the project rescinding a previous letter opposing it. He believed the Commission has been provided a copy.

Jay Koenigsberg said he assembles sites for various developers in the City. In the last 24 hours he discovered something about this project and developer, and therefore, he is asking the Commission to table this matter for two weeks so the information could be reviewed.

Mayor Naugle asked what projects with which Mr. Koenigsberg was involved. Mr. Koenigsberg said he was involved in a project on Sunrise Boulevard across from Holiday Park at the site of the old police station, another on 18th Street behind Publix, this project, four lots in Victoria Park, and the Fountains. Mayor Naugle said this is only the first reading. New information could be supplied before the second hearing.

Tim Donnelly, 3015 North Ocean Boulevard, said the artist's renderings are attractive and would be a great project without yard modifications. However it is longer, bulkier, and higher than what any traditional residential zoning permits. Appropriate yard space, setbacks and heights should be adhered to because the barrier island is slowly

becoming a concrete jungle. His main concern is abuse of PUD zoning. This project is not creative development, but creative zoning. He sees little compliance with the intent and purpose of the PUD ordinance. Traditional zoning such as RM-860 would preserve more of the land. He was mainly concerned that in order to comply with Section 47-37-3, an existing bus stop and sidewalk are being used. Mass transit is used based on availability and convenience, and not because of an aesthetically pleasing bus shelter. He doubted individuals living in million dollar apartments would ride a bus. He did not think this project would take a single vehicle off the road. He failed to see the reason to permit PUD zoning. A PUD is a great concept to revitalize urban areas on the fringes of the downtown area, but it serves no purpose on the barrier island. He feared this project will set a dangerous precedent for PUDs. He did not think the project should be approved and further that all PUD zoning suspended until better defined to prevent circumventing traditional zoning.

Michael O'Leary, one of the property owners of the subject property, said about eighteen months ago he met with the developer, Dinerstein Companies, and found they were diverse, honorable and top notch. Suggestions were taken from everyone involved, and now most people are in support of the project. The common denominator is that this is a quality development. He urged the Commission to approve it.

Martin Torpey, 3020 NE 32nd Avenue and resident of the Tides, said he is also a realtor and feels the developer has made many strides to produce a good project. They have done some things that most developers would not do. It will enhance property values and not have adverse impacts on views from adjoining properties. He also urged the Commission to approve the project.

Jim Ellis, President of Lauderdale Beach Homeowners Association, said they are east of the project. Changes have been made by the developer in response to community input. The Board of Directors has unanimously approved this project on two different occasions. The property was previously under contract for a Walgreens, over which the residents were concerned about traffic.

Tom Carr, 2411 NE 32nd Avenue, said meetings were held with the developer and Dolphin Isles residents and input given. They are in favor of the project and feel this is a model developer.

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

Commissioner Rodstrom said she met with the developer. The building is beautiful. She felt the density will increase with any residential dwellings constructed on the subject site. She said further that in her campaign she was firm regarding extra density on the beach, and therefore, she is not in support of this project. She referred to 208 letters of opposition and four in favor received at the Planning & Zoning Board meeting. She would prefer extra time to meet with the community regarding this project.

Mr. Lochrie said many letters were written in opposition at the time the project was being presented in December. The matter was tabled and modifications were made. As a result, the majority of those letters have been rescinded. He reminded everyone that there would be another reading, but they would have no objection to a deferral.

Commissioner Rodstrom said that she will not support it on first reading, and asked if the Applicant would grant her additional time to meet with the community.

Mr. Lochrie said they have no objection to a deferral.

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Moore to defer this matter until May 23, 2006 at 6:00 p.m.

Commissioner Moore asked how this development would meet the attainable housing requirements. Mr. Lochrie said they are willing to participate in the attainable housing goals of the City, but the ordinance has not yet been finalized. Therefore, if the matter is tabled, additional time could be spent on that aspect.

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

ORDINANCES

Amendment To The Pay Plan – Schedule I

(O-1)

Vice Mayor Hutchinson introduced the following ordinance on second 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.

Commissioner Moore said he is not going to vote for any pay ranges until an auditor is hired.

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

CITIZEN PRESENTATIONS

Amy Jones – Hamilton

(CIT-01)

Neighborhood Capital Improvement Program

Amy Jones-Hamilton, President of LauderGate Isles, thanked everyone for their continued support and funding for the Neighborhood Capital Improvement Program (NCIP). She said they have a great working relationship with staff and the contractors in the two projects awarded to LauderGate. The community is proud of their monuments which gives them a sense of place, and enhances the community. She also thanked the Mayor Naugle for the hurricane clean-up.

RESOLUTIONS

City Cemeteries General Price List**(R-1)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, APPROVING THE GENERAL
PRICE LIST FOR THE CITY CEMETERIES EFFECTIVE, JUNE 1, 2006.

Which resolution was read by title only.

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

Mayor Naugle was concerned about the benches at Lauderdale Memorial which does not allow monuments. The benches now appear to have lower portion serving the purpose of a monument. He asked staff and the Cemeteries Advisory Board to review this and go back to simply allowing benches.

Commissioner Moore agreed, and therefore, felt the Commission should send this back for review to the Cemeteries Advisory Board. Those having monuments should be removed.

Mayor Naugle indicated that people were told there would never be upright monuments.

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson that monuments with benches on top be removed.

Julius Delessio, Cemeteries Advisory Board, Trustees Liaison, said that some of the benches were sold as cremain benches and have remains in them.

Mayor Naugle noted that it was never approved by the Commission.

Vice Mayor Hutchinson said they are a monument and not just a bench.

Commissioner Teel asked how many of these types of benches exist. Mr. Delessio estimated about 40-50 that have been purchased.

The City Manager asked if the matter could be reviewed by staff and placed on the next agenda. Mayor Naugle asked that all sales should be suspended in the interim. The City Manager assured that no sales will take place within the next two weeks.

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel to reconsider approval of the price list. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel, Rodstrom and Moore, and Mayor Naugle. NAYS: None.

Motion made by Vice Mayor Hutchinson and Commissioner Teel to table this matter until May 23, 2006 at 6:00 p.m. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel, Rodstrom and Moore, and Mayor Naugle. NAYS: None.

Vacation of Utility Easement – 220 SW 32nd Street (R-2)
Lewis Family Ft. Lauderdale Partnership, Ltd – Case 5-M-06

Applicant: Lewis Family Ft. Lauderdale Partnership, LTD
Location: East 15' of the West 25' of Parcel 2, MEEKS SUBDIVISION

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-63

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN UTILITY EASEMENT LYING OVER THE EAST 15.00 FEET OF THE WEST 25.00 FEET OF PARCEL 2, "MEEK'S SUBDIVISION," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 86, PAGE 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN SOUTHWEST 32ND STREET AND SOUTHWEST 32ND COURT, WEST OF SOUTHWEST 2ND AVENUE AND EAST OF SOUTHWEST 3RD AVENUE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

Plat Approval – Fort Lauderdale Housing Authority - (R-3)
Case 33-P-05 – South Side of NW 4 Street Between
NW 9 Avenue and NW 11 Avenue

Applicant: Fort Lauderdale Housing Authority
Location: South side of NW 4 Street between NW 9 & 11 Avenues
Zoning: Residential Multi-Family Mid-Rise/Medium High Density
Future Land

Use: Northwest Regional Activity Center

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-64

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT KNOWN AS "H.A.C.F.L. PLAT NO. 1."

Which resolution was read by title only.

Vice Mayor Hutchinson said that today they received an e-mail from Philip Goombs, Housing Authority, and she does not know how his concerns will be addressed. She would like an opportunity to discuss what he requested in the e-mail at the Commission's next meeting (May 23, 2006).

Mayor Naugle agreed that the matter will be discussed at the Commission's next meeting on May 23, 2006.

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

Grant of 10 Foot Easement To Broward County

(R-4)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-65

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO CITY CHARTER SECTION 8.03, AUTHORIZING EXECUTION BY THE PROPER CITY OFFICIALS OF A SANITARY SEWER FACILITIES UTILITY EASEMENT DEED IN FAVOR OF BROWARD COUNTY, FLORIDA FOR AN EASEMENT AREA MORE PARTICULARLY DESCRIBED BELOW.

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

City Attorney Employment Contract – Three-Year Term Extension

(R-5)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-66

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN EMPLOYMENT CONTRACT WITH HARRY A. STEWART AS CITY ATTORNEY WHICH

PROVIDES FOR CONTINUED EMPLOYMENT; ESTABLISHES COMPENSATION AND BENEFITS; AND PRESCRIBES WORKING CONDITIONS OF THE CITY ATTORNEY.

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

Artspace Projects, Inc. Escrow Agreement; Release of Bond (OB)
Westside School Building (Walk-On)

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson authorizing an Escrow Agreement with Artspace Projects, Inc. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel, Rodstrom, and Moore, and Mayor Naugle. NAYS: None.

Resolution Rescheduling May 16, 2006 Regular and (OB)
Conference Meetings to May 23, 2006 (Walk-On)

RESOLUTION NO. 06-68

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCHEDULING THE MAY 16, 2006, REGULAR AND CONFERENCE MEETINGS OF THE CITY COMMISSION TO MAY 23, 2006.

Mayor Naugle said the zoning matter on Las Olas Boulevard can be discussed at the Commission's May 23, 2006 meeting. However, if the item is deferred until the meeting in June, then the Applicant would have to agree to that delay.

The City Attorney said that is correct. He has not been able to reach the Applicant for Las Olas Lofts this afternoon, and therefore, asked if the Commission would defer this matter until May 23, 2006 or June 6, 2006 if the Applicant requests.

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

Advisory Board/Committee Appointments (OB)

Commissioner Moore wanted to discuss the process used to appoint individuals to the advisory boards at a conference meeting.

Mayor Naugle suggested this be discussed at the upcoming workshop. Commissioner Moore agreed.

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

Charter Revision Board	Agnes Burrows
Education Advisory Board	Dr. Leola McCoy
Board of Commissioners, City of Fort Lauderdale Housing Authority	Tam English
Marine Advisory Board	Ryan Campbell Alec Anderson
Northwest-Progresso-Flagler Heights Redevelopment Advisory Board	Brad Hubert
Planning and Zoning Board	Steven Glassman

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 06-67

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, Rodstrom, and Moore, and Mayor Naugle. NAYS: None.

There being no other matters to come before the Commission, the meeting was adjourned at 9:06 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk