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FORT LAUDERDALE CITY COMMISSION
JULY 6, 2006**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
JULY 6, 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 6:03 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 Sergeant William DeJesus

Invocation was offered by Father Singleton, Saint Anthony Catholic Church, followed by the recitation of the pledge of allegiance.

Commissioner Rodstrom thanked Father Singleton and said that Saint Anthony Catholic Church is the only historic church in Downtown Fort Lauderdale which began in 1929.

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 June 6, 2006 Conference and Regular Meetings, and the June 9, 2006 Workshop, and agenda be approved. Roll call showed: YEAS: Commissioner Rodstrom, Vice Mayor Hutchinson, and Mayor Naugle. NAYS: None.

Presentations

OB

1. "WOW" Award – Districts III

Commissioner Moore presented the Community Appearance Board's "WOW" Award for the month of July to Dave and Kelly Westhoven for the beautification of their home located at 1225 S.E. 2nd Street.

Commissioner Moore arrived at approximately 6:02 p.m.

“WOW” Award – District IV

Vice Mayor Hutchinson presented the Community Appearance Board's “WOW” Award for the month of July to Sherry Farace for the beautification of her home located at 1775 S.W. 37th Way.

2. Distinguished Budget Presentation Award

The City Manager presented the Distinguished Budget Presentation Award to the Department of Management and Budget. It was accepted by Allyson Love, Director of Management and Budget. He said that a letter was received from the Government Finance Officers Association announcing this award for the hard work done by the City in governmental budgeting.

Allyson Love said she has a great staff and they work great together as a team.

3. Outstanding City Employees

John Hoelzle, Parking and Fleet Services, recognized Security Guard, Tamara Saint-Gilles as Employee of the Month for May 2006. Her quick thinking and action assisted a citizen in need, as well as bringing a quick disposition to a crime.

Albert Carbon, Director of Public Works, recognized George Woolweaver, a heavy equipment operator, for his continued outstanding performance and dedication in Bulk Trash Operations of the Sanitation Division.

Steve Kastner, Acting Fire Chief, said he is honoring Lieutenant Patrick Gillis as Employee of the Month for July 2006, for his assistance in providing CPR to an elderly woman and through his selfless act of professionalism and caring, a woman's life was saved.

Bruce Roberts, Police Chief, honored Kim Robson as the Civilian Employee for the Month of June 2006 for his assistance in providing CPR to a bicyclist who was involved in a vehicle accident.

Commissioner Moore left the meeting at approximately 6:19 p.m.

Chief Roberts recognized Officers Todd Hill and Robert Norvis as Officers of the Month for July 2006 for their work in aiding a burglary victim and assisting in the arrest of the robbery culprit. Also for their work in locating a vehicle used in several robberies and the suspects who had committed the burglaries.

Commissioner Moore returned to the meeting at approximately 6:21 p.m.

Chief Roberts honored Cassandra Battle as Civilian Employee of the Month for May 2006 for her work in collecting information regarding rock throwing incidents and incorporating that data into her daily workload.

Chief Roberts honored Officers Rafael Fernandez and Erik Kirtman with Life Saving Awards for the month of July 2006 for their efforts in stopping a suicidal person from taking their life.

Chief Roberts honored Gorland Yap a citizen who assisted a woman being robbed and who was able to put down the culprit and waited on the police to arrive and arrest that person.

Chief Roberts honored Officers Richard Kelly and Martin Trujillo with a Life Saving Award for the month of July 2006 due to their efforts in starting resuscitation efforts to an asthmatic at the Air & Sea Show.

Chief Roberts honored Dr. Trance and his wife for their assistance with the asthmatic individual at the Air & Sea Show.

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 – Family Fitness Weekend

(M-1)

A motion authorizing and approving execution of an Event Agreement with Good Speed Foundation, Inc. for Family Fitness Weekend, to be held at Birch State Park, Fort Lauderdale Beach, and beach area streets on Saturday, July 15, 2006, 5:30 AM – 2:30 PM and Sunday, July 16, 2006, 7 AM – 11 AM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0969

Event Agreement – Beach Volleyball

(M-2)

A motion authorizing and approving execution of an Event Agreement with the Good Speed Foundation, Inc. for Beach Volleyball Tournament, to be held at Fort Lauderdale's South Beach on Saturday, July 15, 2006, 8 AM – 6 PM and Sunday, July 16, 2006, 9 AM – 6 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0970

Work Order 10507E – Danella Companies, Inc. - \$4,365,787.39 (M-3)
Sanitary Sewer & Water Main Improvements – Area 4 Basin E

A motion authorizing the proper City Officials to execute Work Order 10507E to Danella Companies, Inc., in the amount of \$4,365,787.39 – construction of sanitary sewer and water main improvements in Area 4 Basin E – Project 10859C.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0836

Work Order 10517A – Danella Companies, Inc. - \$6,618,210.21 (M-4)
Sanitary Sewer & Water Main Improvements – Lauderdale Manors Phase III Basin A

A motion authorizing the proper City Officials to execute Work Order 10517A to Danella Companies, Inc., in the amount of \$6,618,210.21 – construction of sanitary sewer and water main improvements in Lauderdale Manors Phase III Basin A – Project 10859C.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0840

Work Order 10543A – Danella Companies, Inc. - \$3,713,315.86 (M-5)
Sanitary Sewer & Water Main Improvements – Shady Banks Basin A

A motion authorizing the proper City Officials to execute Work Order 10543A to Danella Companies, Inc., in the amount of \$3,713,315.86 – construction of sanitary sewer and water main improvements in Shady Banks Basin A – Project 10859C.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0946

Task Order 20 – Kimley-Horn and Associates, Inc. - \$40,000 (M-6)
Fort Lauderdale Executive Airport Security Evaluation Study

A motion authorizing the property City Officials to execute Task Order 20 with Kimley-Horn and Associates, Inc., in the amount of \$40,000 – Executive Airport Security Evaluation Study – Project 10964.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0977

Task Order 22 – Kimley-Horn and Associates, Inc. - (M-7)
\$28,452.48 – Downtown Helistop – Eastern
Stairs Replacement

A motion authorizing the proper City Officials to execute Tas Order 22 with Kimley-Horn and Associates, Inc. in the amount of \$28,452.48 – construction support services – replacement of eastern stairs at Downtown Helistop – Project 10842.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0978

Change Order 1 – Foster Marine Contractors, Inc. - Add (M-8)
30 Days – Lauderdale West & Sunset Areas – Sewer Area
3 Basin A - \$134,913.36

A motion authorizing Change Order 1 with Foster Marine Contractors, Inc., in the net amount of \$134,913.36 – quantity adjustments, additional work and addition of 30 non-compensable calendar days for Lauderdale West and Sunset Areas – Sewer Area 3 Basin A – Project 10506A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0945

Change Order 3 – Danella Companies, Inc. - \$44,317.31 (M-9)
Sewer and Water Main Improvements Area 4 Basin F &
Add 44 Days

A motion authorizing Change Order 3 with Danella Companies, Inc., in the amount of \$44,317.31 and addition of 44 non-compensable calendar days for modifications due to existing conditions discovered in field and addition of quantities required by Broward County – Sewer and Water Main Improvements Area 4 Basin F – Project 10507F.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0953

Change Order 3 – Danella Companies, Inc. & Add 152 Days (M-10)
Sewer and Water Main Improvements Sailboat Bend -
Basin A - \$341,011.42

A motion authorizing Change Order 3 with Danella Companies, Inc., in the amount of \$341,011.42 – quantity increases and addition of 152 non-compensable calendar days – Sewer and Water Main Improvements Sailboat Bend – Area 11 Basin A – Project 10542A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0955

Change Order 1 – Intercounty Engineering, Inc. - (M-11)
\$22,112.19 – Rehabilitation of Pump Stations A-11,
B-8, D-39, D-47 & Add 12 Days

A motion authorizing Change Order 1 with Intercounty Engineering, Inc., in the net amount of \$22,112.19 – additional work and addition of 12 non-compensable calendar days for Group I – Pump Station Rehabilitation Pump Stations A-11, B-8, D-39, D-47 and E-5 – Project 10488.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0958

Change Order 2 – Nicassio Corporation - \$283,365 (M-12)
Wastewater Conveyance Long-Term Remediation –
Sewer Basin A-17

A motion authorizing Change Order 2 with Nicassio Corporation, in the net amount of \$283,365 – addition of 12 inch diameter cast iron pipe poly liner and quantity increases – Wastewater Conveyance System Long-Term Remediation Program Project 5 Sewer Basin A-17 – Project 10968.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0967

Change Order 1 – VIP Painting, Inc. - \$27,650.75 (M-13)
Downtown Helistop Western Stairs & Deck Painting – Rehabilitation

A motion authorizing Change Order 1 with VIP Painting, Inc., in the amount of \$27,650.75 – Downtown Helistop western stairs and deck painting/rehabilitation – Project 11027.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0981

Task Order 20 – CMTS Florida, LLC - \$156,694.01 (M-14)
Utility Construction Inspection – River Oaks Basin F

A motion authorizing the proper City Officials to execute Task Order 20 with CMTS Florida, LLC, in the amount of \$156,694.01 – utility construction inspection services – River Oaks Basin F – Project 10705F.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0938

Task Order 21 – CMTS Florida, LLC - \$134,740.55 (M-15)
Utility Construction Inspection – Croissant Park Basin C

A motion authorizing the proper City Officials to execute Task Order 21 with CMTS Florida, LLC, in the amount of \$134,740.55 – utility construction inspection services – Croissant Park Basin C – Project 10769C.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0942

Task Order 22 – CMTS Florida, LLC - \$251,193.58 (M-16)
Utility Construction Inspection – Croissant Park Basin B

A motion authorizing the proper City Officials to execute Task Order 22 with CMTS Florida, LLC, in the amount of \$251,193.58 – utility construction inspection services – Croissant Park Basin B – Project 10769B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0943

Task Order 17 – CMTS Florida, LLC - \$218,478.70 (M-17)
Utility Construction Inspection – Infiltration and Inflow

A motion authorizing the proper City Officials to execute Task Order 17 with CMTS Florida, LLC, in the amount of \$218,478.70 – utility construction inspection services during rehabilitation of several sewer basins being repaired under various infiltration and inflow contracts – Project 11141.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0934

Task Order 19 – CMTS Florida, LLC - \$310,368.25 (M-18)
Utility Construction Inspection – River Oaks Basin D

A motion authorizing the proper City Officials to execute Task Order 19 with CMTS Florida, LLC., in the amount of \$310,368.25 – utility construction inspection services – River Oaks Basin D – Project 10705D.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0937

Task Order 18 – Kimley-Horn and Associates, Inc. - \$177,959 (M-19)
Construction Support Services – Airport Fire Station 53

A motion authorizing the proper City Officials to execute Task Order 18 with Kimley-Horn and Associates, Inc., in the amount of \$177,959 – supplemental construction support services – Fire Station 53 at Executive Airport.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0991

Amendment 2 – Task Order 03-12 – Hazen and Sawyer, P.C. - (M-20)
\$388,673 – Dixie Wellfield Improvements Phase 4

A motion authorizing the proper City Officials to execute Amendment 2 to Task Order 03-12 with Hazen and Sawyer, P.C., in the amount of \$388,673 – design modifications – Fort Lauderdale Country Club – Dixie Wellfield Improvements – Phase 4 – Project 10824.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0807

Work Order – Keith and Schnars, P.A. - \$24,000 (M-21)
Traffic Impact Analyses

A motion authorizing work order to Keith and Schnars, P.A. in a not-to-exceed amount of \$24,000 – review of developer traffic impact analyses.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0941

Change Order 1 – Danella Companies, Inc. - \$220,977.50 (M-22)
Water Main – Davie Boulevard – Maintenance of Traffic Items

A motion authorizing Change Order 1 with Danella Companies, Inc. in the amount of \$220,977.50 – special maintenance of traffic items required by Florida Department of Transportation – David Boulevard 24” Water Main From I-95 to South Federal Highway – Package E – Project 10553A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0951

Change Order 1 – Weekley Asphalt Paving, Inc. - (M-23)
\$739,985 – 2005-2006 Asphaltic Concrete Pavement Surfacing Contract

A motion authorizing Change Order 1 with Weekley Asphalt Paving, Inc., in the amount of \$739,985 – increase 2005-2006 Asphaltic Concrete Pavement Surfacing Annual Contract – Project 11023.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0982

Change Order 3 – MBR Construction, Inc. - \$23,276.40 (M-24)
Sunset Memorial Gardens – Pump Station – Wastewater System

A motion authorizing Change Order 3 with MBR Construction, Inc., in the amount of \$23,276.40 – Sunset Memorial Gardens – Project 10443.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0987

Change Order 1 – MBR Construction, Inc. - \$93,500.00 (M-25)
City Parking Garage Rehabilitation Phase II Replacement

A motion authorizing Change Order 1 with MBR Construction, Inc., in the amount of \$93,500.00 – City Parking Garage Rehabilitation Phase II Replacement – Project 10708.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0994

Release From Lease Agreement – City Park Mall (M-26)
Shop 128 – Visage Light Co

A motion releasing Mehdi Ahadpour d/b/a Visage Light Co. from their lease agreement with the City for Shop 128 at the City Park Mall, effective June 1, 2006.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0950

Revised Bid Tab – Intercounty Engineering, Inc. - \$16,914,920.80 (M-27)
General Construction Services Contract

A motion approving the revised bid tab for Project 11070 and authorizing the proper City Officials to execute a contract with Intercounty Engineering, Inc., in the corrected amount of \$16,914,920.80 – General Construction Services Contract 2.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0971

Continuing Contract – Electrical/Mechanical Engineering Services (M-28)
TLC Engineering for Architecture, Inc. and DeRose Design Consultants, Inc.

A motion accepting Consultants' Competitive Negotiation Act Selection Committee's recommendation of ranking firms – continuing contract for electrical/mechanical engineering services for various City projects and authorizing proper City Officials to Commence negotiations with top two ranked firms, TLC Engineering for Architecture, Inc. and DeRose Design Consultants, Inc.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0974

Community Bus Services – One-Year Extension - (M-29)
Agreement with Broward County

A motion authorizing the proper City Officials to exercise a one-year extension to the City's agreement with Broward County for Community Bus Services to September 30, 2007.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0997

Performing Arts Center Garage – Courthouse Transit Service (M-30)
Agreements – Broward County & Transportation Management
Association

A motion authorizing the proper City Officials to exercise agreements with Broward County and Transportation Management Association to operate a transit service between Performing Arts Center garage and Broward County Courthouse.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0988

Lease Agreement – Fidelity Properties Trust Inc. (M-31)
City Prosecutor's Office – 200 SE 6th Street

A motion authorizing the proper City Officials to execute a five-year lease agreement with Fidelity Properties Trust – City Prosecutor's Office.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0986

Contract Award – Poole and Kent Company of Florida - (M-32)
\$11,500,000 – Wastewater Repump Stations A, B and E –
Rehabilitation

A motion authorizing the proper City Officials to award and execute a contract with Poole and Kent Company of Florida, in the amount of \$11,500,000 – rehabilitation of wastewater repump stations A, B and E – Project 10537.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0933

Contract Award – Sanalil Construction, Inc. - \$37,416.70 - (M-33)
Imperial Point Neighborhood Improvements

A motion authorizing the proper City Officials to award and execute a contract with Sanalil Construction, Inc., in the amount of \$37,416.70 – Imperial Point Neighborhood Improvements – Project 10614.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0972

Inmate Welfare Fund – Fingerprint Interface (M-34)
Project - \$43,363

A motion to transfer and appropriate \$43,363 from Inmate Welfare Fund to Information Management Division for Fingerprint Interface Project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0948

Fiscal Year 2005-2006 Budget Amendment 5 (M-35)

A motion authorizing an amendment to reflect revisions to the Fiscal Year 2005-2006 adopted budget for expenses related to five new Pumper Trucks and One Aerial Ladder Truck purchased in Fiscal Year 2004-2005; increased fuel and diesel cost; increased fuel and diesel usage; and disallowed Hurricanes Wilma & Katrina expenses.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0998

Fort Lauderdale-Hollywood International Airport (CR-01)
Runway 13/31 Noise

A resolution supporting the decommissioning of Runway 13/31 at Fort Lauderdale-Hollywood International Airport and advocating reduction of airport noise and overflights affecting neighborhoods within the City of Fort Lauderdale.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-0973

Outside Counsel (CR-02)

A resolution appointing outside counsel to represent the City in litigation and other matters, and setting hourly rates for such representation – Adorno & Yoss, LLP; Billing, Cochran, Heath, Lyles, Mauro & Anderson, P.A.; Massey, Coican & Schuster, LLC and Earnest Law Firm, P.A.

Recommend: Adopt resolution..

Exhibit: Commission Agenda Report 06-1006

Outside Counsel – Lewis, Longman & Walker, P.A. - \$50,000 (CR-03)
Water Related Issues

A resolution appointing Lewis, Longman & Walker, P.A. as outside counsel to advise the City on permitting, rulemaking and other water related issues and authorizing the proper City Officials to execute an agreement with Lewis, Longman & Walker, P.A. in a not-to-exceed amount of \$50,000.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-0918

Bond and Disclosure Counsel – 2006 Water and Sewer Revenue Bonds – Sanders & Dempsey L.L.P. and Steven Bullock P.A. (CR-04)

A resolution appointing Squire, Sanders & Dempsey L.L.P. as Bond Counsel and Steven Bullock P.A. as Disclosure Counsel for the 2006 Water and Sewer Revenue Bonds.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-1012

No Objection to Plat Note Amendment – Deco Plat - McDonald’s Northwest Corner – SW 12 Avenue – And State Road 84 (CR-05)

Applicant: McDonald’s USA, Inc.

No objection to Plat Note Amendment to Deco Plat – addition to the existing restaurant.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-0849

Interlocal Agreement – Broward Boulevard Beautification Project – Assignment From Broward County to City of (CR-06)

Lauderhill

A resolution consenting to assignment of duties and obligations of Broward County to City of Lauderhill pursuant to Interlocal Agreement among Broward County, City of Plantation and City of Fort Lauderdale – beautification project along Broward Boulevard from State Road 7 to NW 7 Avenue.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-0947

City Clerk’s Salary Adjustment (CR-07)

A resolution authorizing pay increase pursuant to annual performance review of City Clerk.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-1018

City Manager’s Salary Adjustment (CR-08)

A resolution setting the City manager’s salary effective August 1, 2006.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-0931

PURCHASING AGENDA

Co-Op – Purchase of Sod and Sod Installation (PUR-1)

One-year contract for purchase of sod and sod installation is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Various Vendors
Amount: Per unit prices
Bids Solicited/Rec’d: 64/5
Exhibit: Commission Agenda Report 06-0856

The Procurement Services Department has reviewed this item and recommends approving purchases from the SE Florida Governmental Purchasing Cooperative Group.

Proprietary – Switchgear and Component Parts**(PUR-2)**

Purchase of Allen Bradley switchgear and component parts is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Southern Electric Supply Co., Inc., a Delaware Corp. transacting business in the State of Florida as Rexel Consolidated, Pompano Beach, FL.

Pompano Beach, FL

Amount: \$45,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0822

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

Co-Op – Purchase of Aggregates, Topsoils and Sand**(PUR-3)**

One-year contract for purchase of aggregates, topsoils and sand is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Tenex Enterprises, Inc.
Coral Spring, FL

Austin Tupler Trucking, Inc.
Davie, FL

Amount: Per unit prices

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0862

The Procurement Services Department has reviewed this item and recommends approving purchases from the SE Florida Governmental Purchasing Cooperative Group.

Hansen Computerized Maintenance Management System**(PUR-4)**

Purchase of annual maintenance costs for Hansen Computerized Maintenance Management software is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Hansen Information Systems, Inc.
Rancho Cordovo, CA

Amount: \$88,870.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0927

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

462-9502 – Rejection of Bids for Emergency Catering Services (PUR-5)

Rejection of all bids received for emergency catering services is being presented for approval by the Public Works Department.

Recommend: Motion to reject.

Bids Solicited/Rec'd: 96/2

Exhibit: Commission Agenda Report 06-0921

The Procurement Services Department has reviewed this item and recommends rejecting all bids and re-bidding.

Replacement Hardware for Computer Control Systems (PUR-6)
G.T. Lohmeyer Wastewater Treatment Plant

Purchase of replacement hardware for computer control systems at G.T. Lohmeyer Wastewater Treatment Plant is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Dell Marketng USA, LP
Round Rock, TX

Amount: \$95,684.78 (not to exceed)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0949

The Procurement Services Department has reviewed this item and recommends purchasing from the Western States Contracting Alliance.

Proprietary – Decorative Streetlight Poles and Fixtures (PUR-7)

Purchase of decorative streetlight poles, fixtures and associated parts is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Municipal Lighting Systems, Inc.
Miami, FL

Amount: \$93,285.00 (not to exceed)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0961

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

462-9479 – Water Meter Reading Services

(PUR-8)

One-year contract for purchase of water meter reading services is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Bermex, Inc.
Clinton Township, MI

Amount: Per Unit Prices

Bids Solicited/Rec'd: 315/3

Exhibit: Commission Agenda Report 06-0965

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

562-9414 – HOPWA 2006-2007

(PUR-9)

Housing Opportunities for People with AIDS

Award of 2006-2007 HOPWA funds is being presented for approval by the Planning and Zoning Department.

Recommend: Motion to approve.

Vendor: Broward House, Inc.
Susan B. Anthony Center, Inc.
Mount Olive Development Corp.
Shadowood II, Inc.

Amount: \$2,500,000.00 (funding recommendation)

Bids Solicited/Rec'd: 300/4

Exhibit: Commission Agenda Report 06-0962

The Procurement Services Department recommends awarding to the HOPWA providers as listed and recommended by the City's evaluation committee and staff.

762-9507 – Spreader and Material Handler**(PUR-10)**

Agreement to purchase a spreader and material handler with cross conveyor option is being presented by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Hector Turf, Inc.
Deerfield Beach, FL

Amount: \$20,125.00

Bids Solicited/Rec'd: 153/2

Exhibit: Commission Agenda Report 06-0926

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

452-9217 – Contract Extension for Cast Iron Valve Boxes**(PUR-11)**

One-year contract extension for cast iron valve boxes is being presented for approval by the Procurement Services Department.

Recommend: Motion to approve.

Vendor: Bingham Taylor
Culpepper, VA

Amount: Per Unit Prices

Bids Solicited/Rec'd: 446/6

Exhibit: Commission Agenda Report 06-0964

The Procurement Services Department has reviewed this item and recommends approving the contract extension.

762 – 9434 – Financial Audit Services**(PUR-12)**

Five-year contract for financial audit services is being presented for approval by the Finance Department.

Recommend: Motion to approve.

Vendor: Ernst & Young LLP
Dover, DE

Amount: \$220,000.00 (estimated annual total)

Bids Solicited/Rec'd: 690/4

Exhibit: Commission Agenda Report 06-1014

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

362-9508 – Plans Review Services, Non-Expedited**(PUR-13)**

One-year contract for non-expedited plan review services – structural, electrical, mechanical, plumbing and engineering is being presented for approval by the Building Services Department.

Recommend: Motion to approve.

Vendor: Capri Engineering, LLC Sanalil, Inc.
 Sunrise, FL Plantation, FL
 Amount: Per Unit Prices
 Bids Solicited/Rec'd: 93/3
 Exhibit: Commission Agenda Report 06-1023

The Procurement Services Department recommends awarding to the first and second ranked vendors.

462-9502 – Rejection of Bids for Emergency Catering Services**(PUR-5)**

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

762-9507 – Spreader and Material Handler**(PUR-10)**

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

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

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Moore that Consent Agenda Item Nos. M-3, M-4, M-5, M-20, M-23, M-35, and Pur-12 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

Work Order 10507E – Danella Companies, Inc. - \$4,365,787.39 (M-3)
Sanitary Sewer & Water Main Improvements – Area 4 Basin E

Work Order 10517A – Danella Companies, Inc. - \$6,618,210.21 (M-4)
Sanitary Sewer & Water Main Improvements – Lauderdale Manors Phase III Basin A

Work Order 10543A – Danella Companies, Inc. - \$3,713,315.86 (M-5)

Sanitary Sewer & Water Main Improvements – Shady Banks Basin A

Commissioner Moore removed these items from the consent agenda. He also noted items M-9 and M-10. He said that these are contracts for services from one contractor amounting to over \$13 million. He had asked about this company's participation this company follows with respect to small disadvantaged businesses and minority businesses, and was informed there are none. He felt this is a policy the Commission needs to review, and readdress this issue of involvement.

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson to approve items M-3, M-4 and M-5 as presented. Roll call showed: YEAS: Commissioners Rodstrom and Moore, Vice Mayor Hutchinson, Commissioner Teel, and Mayor Naugle. NAYS: None.

Amendment 2 – Task Order 03-12 – Hazen and Sawyer, P.C. (M-20)
\$388,673 – Dixie Wellfield Improvements Phase 4

Commissioner Rodstrom said that she has a conflict with this item and has filed a memorandum of voting conflict.

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Moore to approve the item as presented. Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, and Commissioner Teel. NAYS: Mayor Naugle. Commissioner Rodstrom abstained from voting. A memorandum of voting conflict, dated July 6, 2006, is attached to these minutes.

Fiscal Year 2005-2006 Budget Amendment 5 (M-35)

Commissioner Moore was concerned about this budget amendment because most of it has to do with recent hurricanes. He wants to know the projections given by the City Manager in connection with the FEMA returns. It was his understanding that the City would receive 87.5%, and the City has put forth about \$5 million of reimbursements. He asked if the City is meeting the 87.5% projection.

Bob Mays, City Treasurer, said the City expects to spend \$50.5 million on the hurricanes, and to be reimbursed approximately \$43.6 million. They have applied for reimbursement of \$21 million, and to date they have received \$5 million. Of that \$5 million received, they have been getting the full percentage as promised by FEMA. In some cases they have reimbursed 100%, and in other cases they have reimbursed 87.5%.

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

Change Order 1 – Weekley Asphalt Paving, Inc. - \$739,985 (M-23)
2005-2006 Asphaltic Concrete Pavement Surfacing Contract

Mayor Naugle removed this item from the consent agenda. He has noticed recently that the manhole and utility covers are not being raised to the level of the road surface. He asked the City inspectors to scrutinize this. He offered to furnish some specific locations.

Albert Carbon, Public Works Director, said there is a new Construction Manager onboard checking on these items.

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

762-9434 – Financial Audit Services

(PUR-12)

Commissioner Moore removed this item from the consent agenda. He asked if this firm has been doing the audits in the past and how long have they been doing so.

Kirk Buffington, Procurement Services, said this firm is the current and incumbent auditor.

Betty Burrell, Finance Director, said this company has been the audit firm for the last four years.

Commissioner Moore reviewed the rankings and costs for services by the competitors. Due to the length of time this firm has had the contract, he would like to have some new eyes on the matter. He did not understand the ranking that was performed because two other firms had lower prices. Also, he felt that the firms doing this kind of work would have the appropriate qualifications and background to do such work, or they would not be on the City's short list. This firm is charging more than two other firms. He preferred going to the second-ranked firm for a fresh look.

Ms. Burrell said that state law prohibits consideration of the fee relating to audit services. Several members of the Selection Committee determined it was in the City's best interest to select Ernst & Young. She felt strongly that the City would be in a better position to select the firm being recommended.

Commissioner Moore did not agree. He did not care for the practices of this company. Promises were made to him by them about implementing certain practices and they did not do it. Creditability is important to him, especially in regard to an audit. Therefore, would not support Ernst & Young. He favored the second-ranked firm on the list. He asked if the second firm meets all requirements.

Mr. Buffington said that the Committee evaluated Ernst & Young since they were the number one ranked proposer. He said that McGladry & Pullen, the second ranked firm, does meet all statutory requirements for an external auditor as required by the Florida Statutes. He did not know if the Committee conducted reference checks on them. Ms. Burrell said that a reference check was conducted and no negative comments were received. From a historical perspective as to past evaluations, Mr. Buffington said the Committee and the Audit Advisory Board have reviewed the responses. Many people

have reviewed this and feel strongly that the \$15,000 difference is overcome by the experience of Ernst & Young versus the other three proposers.

Commissioner Teel said that there are going to be some changes in the Finance Department. Ms. Burrell noted that the department has not yet found a replacement for Joanne Rizi, City Controller. In response to Commissioner Teel, Ms. Burrell indicated that she would feel more comfortable in such circumstances having Ernst & Young on board. Commissioner Teel supported the choice made by the Selection Committee because of the many internal changes. Possibly the next time around another firm could be chosen.

Commissioner Moore said this firm was challenged around the country a few years ago, and the City gave them opportunity. He met with a partner of the firm, who said one thing to him and did another. He lost credibility with them.

Mayor Naugle asked what was the issue with them. Commissioner Moore suggested that Ernst & Young respond to that question.

Commissioner Rodstrom agreed that every 3-5 years there should be fresh eyes. She was concerned about there being a five year agree with an extension approved by Procurement and not the Commission. Mr. Buffington indicated it would be a period of eight years. Commissioner Rodstrom felt eight years is too long to wait for a change. She felt the Commission should not give up their right to make such choices with respect to contract extensions. Mr. Buffington said that could be revised.

Motion made by Commissioner Moore and seconded by Commissioner Rodstrom to award the contract to McGladry & Pullen, second-ranked firm, for a period of three years with two, one-year renewals to be authorized by the Commission.

Mr. Buffington said it is one thing to revise the term of the contract when the City is still awarding to the number one ranked proposer, but to revise the terms of the contract in the competitive arena with the second proposer, there could be some challenges.

The City Attorney said there may be a challenge. One of the issues considered is price, even though it is not the sole or predominant issue, and therefore, the City can award to the next bidder. It is the Commission's job to make the final decision. The commission reserves the right to reject all bids. The Commission could offer a three year contract with two, one-year renewals to whoever they choose. If they do not want the contract, they will come back.

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

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel to approve the item as present, except that it is a five-year contract with all renewals to be authorized by the Commission.

Commissioner Rodstrom suggested a three-year contract with two, one-year terms. Vice Mayor Hutchinson was not agreeable to changing her motion.

The motion was restated as follows:

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

RESOLUTIONS

Street Name Additions – Dolphin Isles Neighborhood **(R-1)**

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 06-108

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADDING THE NAMES DOLPHIN DRIVE TO NE 32 AVENUE, SAILFISH ROAD TO NE 31 AVENUE, SEA VIEW PLACE TO NE 19 STREET, BONITA COURT TO NE 20 COURT, ALBACORE STREET TO NE 21 STREET, MANATEE COURT TO NE 22 STREET, DOLPHIN COURT TO NE 23 COURT AND TARPON COURT TO NE 25 STREET.

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

Disposition of Surplus Property – Southeast of 1550 SE 17 Street **(R-2)**

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel to introduce the alternative resolution, accepting the sole bid of \$1,800.

Commissioner Rodstrom asked how long is the lease. Ed Udvardy, Assistant Director of Public Works, said that it is a 50-year lease.

RESOLUTION NO. 06-109

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING THE PROPOSAL OF MEGA PARTNERS DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY, TO LEASE FROM THE CITY LANDS LOCATED GENERALLY SOUTH OF AND CONTIGUOUS TO 1540 S.E. 17TH STREET, FORT LAUDERDALE, FLORIDA, SUCH LANDS BEING MORE PARTICULARLY DESCRIBED IN RESOLUTION NO. 06-77, AND AUTHORIZING THE PREPARATION OF A FORM OF LEASE FOR EXECUTION, EMBODYING THE TERMS AND CONDITIONS OF RESOLUTION NO. 06-77.

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

Plat Approval – Secure Storage at 84 – Warehouse Facility (R-3)
Marina Mile Properties, LLC. – Case 31-P-05

Applicant: Marina Mile Properties, LLC
Location: East of Interstate Highway 95, North of State Road 84, West of the Osceola Canal

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 06-110

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT KNOWN AS “SECURE STORAGE AT 84 PLAT.”

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

PUBLIC HEARINGS

Application for Dock Waiver of Distance Limitations - (PH-1)
Stork’s Las Olas, Inc. & Villagio Di Las Olas Development –
1103 E. Las Olas Blvd.

Applicant: Stork’s Las Olas, Inc. and Villagio Di Las Olas Development, Inc.

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

Vice Mayor Hutchinson introduced the resolution:

RESOLUTION NO. 06-111

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, WAIVING THE LIMITATIONS OF SECTION 47-19.3.B OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW STORK’S LAS OLAS INC., A FLORIDA CORPORATION, AND VILLAGIO DI LAS OLAS DEVELOPMENT, INC., A FLORIDA CORPORATION, AUTHORIZATION TO MAINTAIN AN EXISTING WOOD FLOATING DOCK AND GANGWAY EXTENDING A

DISTANCE NOT TO EXCEED ELEVEN FEET (11.0') INTO THE HIMMARSHEE CANAL NORTH OF EAST LAS OLAS BOULEVARD FOR POROPERTY LOCATED AT 1103 E. LAS OLAS BOULEVARD SUCH PROPERTY BEING MORE PARTICULARLY DESCRIBED BELOW.

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

**Rezoning to Planned Unit Development and Site Plan, (PH-2)
Marina Mile Properties, LLC. – Northeast Corner of State
Road 84 & I-95**

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

Vice Mayor Hutchinson introduced the ordinance on first reading:

ORDINANCE NO. C-06-18

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM B-2 AND RML-25 TO PLANNED UNIT DEVELOPMENT ("PUD"), A PORTION OF TRACTS 3 AND 4, "F.A. BARRETT'S SUBDIVISION" OF THE WEST ½ (HALF) OF SECTION 21, TOWNSHIP 50 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 46 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING BETWEEN INTERSTATE 95 AND OSCEOLA CREEK, LOCATED AT THE NORTHEAST INTERSECTION OF INTERSTATE 95 AND STATE ROAD 84, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

City Clerk's Salary Adjustment (CR-07)

City Manager's Salary Adjustment (CR-08)

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson to reconsider Items CR-07 and CR-08. Roll call showed: YEAS: Commissioners Rodstrom and Moore, and Mayor Naugle. NAYS: Vice Mayor Hutchinson and Commissioner Teel.

City Clerk's Salary Adjustment**(CR-07)**

Commissioner Moore said the City Clerk has made a number of favorable changes in the office and has done a great job. He said that he does not recommend a salary increase even though she has done an above-satisfactory job. Therefore, he wanted his vote to show that he is not supporting a salary increase.

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

City Manager's Salary Adjustment**(CR-08)**

Commissioner Moore said he had a great interview with the City Manager and learned a number of things to better work with him in the upcoming year. He did not favor a projected increase in salary because he feels it is way out of line. There are too many complaints regarding the Building Department and code issues. He commended the City Manager for putting someone new in charge of the department. He also is receiving too many complaints regarding response times from the Police Department, comments from officers that there needs to be more officers on staff. He also referred to comments of the FOP. He did not believe the City has control. Therefore, he cannot support a salary increase.

Mayor Naugle did not feel the City Manager could be held responsible for comments by the FOP.

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

**Rezoning to Residential Single Family/Medium Density -
Case 15-Z-05 – Durr's Infill Housing Development Project –
800 NW 20 Avenue**

(PH-3)

Rezoning from Industrial to Residential Single-Family/Medium Density – Durr's Infill Housing Development Project.

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioners Rodstrom and Moore, Vice Mayor Hutchinson, Commissioner Teel and Mayor Naugle.

Vice Mayor Hutchinson introduced the ordinance on first reading:

ORDINANCE NO. C-06-19

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM I TO RCS-15, LOTS 14, 15, 16 AND 17,

“LAUDERDALE INDUSTRIAL AREAS,” ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 31, PAGE 17, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN I-95 AND NORTHWEST 19TH TERRACE, NORTH OF NORTHWEST 8TH STREET AND SOUTH OF NORTHWEST 9TH STREET, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE “A” ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

Vacation of Right-of-Way – East of South Miami Road (PH-4)
Lakeridge Development, LLC – Case 32-P-05

Applicant: Lakeridge Development, LLC
Location: East of South Miami Road between SE 12 Street and SE 12 Court

Commissioner Rodstrom said that she has a conflict of interest regarding this item, and has filed all necessary papers with the City Clerk’s Office.

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel to close the public hearing. Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, Commissioner Teel, and Mayor Naugle. NAYS: None. Commissioner Rodstrom abstained. A memorandum of voting conflict, dated July 6, 2006, is attached to these minutes.

Vice Mayor Hutchinson introduced the ordinance on first reading:

ORDINANCE NO. C-06-20

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL OF THE NORTH SOUTH ALLEY LYING IN BLOCK 1, “EVERGLADE LAND SALES COMPANY’S ADDITION TO LAUDERDALE, FLORIDA,” ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 15, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING EASTERLY OF AND ADJACENT TO LOTS 21 THROUGH 26 OF SAID BLOCK AND BOUNDED ON THE NORTH BY THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 21; AND BOUNDED ON THE SOUTH BY THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 26, LOCATED EAST OF MIAMI ROAD, BETWEEN SOUTHEAST 12TH STREET AND SOUTHEAST 12TH COURT, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

**Northport Development of Regional Impact Order
Amendment – Case 89-R-06****(PH-5)**

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

Vice Mayor Hutchinson introduced the ordinance on first reading:

ORDINANCE NO. C-06-21

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING ORDINANCE NO. C-89-9 AS AMENDED APPROVING THE DEVELOPMENT ORDER FOR THE NORTHPORT/BROWARD COUNTY CONVENTION CENTER DEVELOPMENT OF REGIONAL IMPACT ("DRI") LOCATED SOUTH OF S.E. 17TH STREET, EAST OF EISENHOWER BOULEVARD AND NORTH OF S.E. 20TH STREET, WITHIN THE JURISDICTIONAL BOUNDARIES OF PORT EVERGLADES IN THE CITY OF FORT LAUDERDALE FINDING THE PROPOSED CHANGE TO THE NORTHPORT BROWARD COUNTY CONVENTION CENTER DEVELOPMENT OF REGIONAL IMPACT TO BE A NON-SUBSTANTIAL DEVIATION; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR EXTENSION OF THE BUILD-OUT DATE FOR THE NORTHPORT LEASEHOLD AREA TO DECEMBER 30, 2008, AND PROVIDING FOR RECORDATION.

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

**Conveyance of City Properties to Housing Authority
3731 SW 1 Street and 611 NE 39 Street****(PH-6)**

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel to defer this matter until July 18, 2006, at 6:00 p.m. (requested by City Manager). Roll call showed: YEAS: Commissioners Rodstrom and Moore, Vice Mayor Hutchinson, Commissioner Teel, and Mayor Naugle. NAYS: None.

**2006-2007 Community Development Block Grant Funding
HUD Annual Action Plan****(PH-7)**

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

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

ORDINANCES

Trial Residential Parking Permit Program**(O-1)**

John Hoelzle, Director of Parking and Fleet Services, noted that the dollar amounts shown on the original chart were annual amounts. For the purposes of the trial program, the costs have been cut in half for the six-month program. The other change made since the presentation at the Commission's Conference meeting is that they have deleted the requirement for the homeowner to leave a deposit of \$100 for each guest pass. This would be left to the homeowners association to decide how to administer. The \$100 requirement for lost passes would remain intact.

Vice Mayor Hutchinson said there is a parking issue in the Beverly Heights and Colee Hammock areas and they have been working on the issue for a number of years. This is not for those areas. She, therefore, will not support this proposal tonight because it needs morer work. It needs more work with the residents, and with the businesses. This will be a burden on the homeowner. This is not the program for the neighborhood that is close to the downtown. She suggested that Beverly Heights and Colee Hammock be eliminated from the program, and they return in September or October with a better suited plan for these particular areas.

Vice Mayor Hutchinson asked if it is legal for the homeowner associations to issue guest passes. The City Attorney said there are certain legal implications of basically making the homeowner the agent of the City, but it is not unlawful. The Commission can assign that responsibility to the homeowner association.

Commissioner Moore left the dais at approximately 7:10 p.m. and returned at 7:11 p.m.

Mayor Naugle said that those areas could be eliminated from the program, and then they would only discuss Birch Finger Streets.

Vice Mayor Hutchinson said the criteria for the ordinance is good, but she does not like the devil in the details. The details do not fit the Beverly Heights and Colee Hammock areas.

Commissioner Rodstrom said parking is a City-wide problem caused by the City. The intensity of uses around neighborhoods have caused the residents to lose part of their quality of life. The problem is going to get worse when buildings are constructed downtown and there is no parking for them. This issue cannot wait. This test program could possibly work but probably will need some changes. She supported the program.

Commissioner Moore said he found a great deal of insensitivity by this Commission regarding a car issue he has been dealing with for the last two months. He felt cars were impacting his neighborhood in a negative manner, to the extent that it defeated the opportunity for economic development. He is waiting to hear what the public has to say regarding the impact of cars. There are no parking requirements at this time for the downtown area. This was done to stimulate economic development. Possibly, the

parking requirements could be readjusted for the downtown area at a future date. Vehicles are becoming problematic due to their number. He wanted to know what will be discussed this evening and if they are going to remove the neighborhoods requested by the Vice Mayor.

Vice Mayor Hutchinson felt the issue was evening hours. Therefore, this trial program is flawed for her neighborhoods because it is not going to be in effect during the nighttime hours.

Mayor Naugle suggested that the public hearing be held tonight to see if the beach area is in support of the program.

Commissioner Teel felt that the two areas are different and they should not be discussed in reference to one ordinance.

Commissioner Moore concluded the Commission would look at the ordinance for the beach community. Then the program could be offered to other communities after the six month trial. Vice Mayor Hutchinson wanted to return with a trial program for her area.

Robert Case, 3315 NE 15th Street, said this solution will only make the problem worse and it is unfair for homeowners to be burdened with the cost and the bureaucracy. Residents should receive two passes per household and passes for services at no cost.

John Tiberio, 3304 NE 16th Court, said the newspaper article did not reflect the overwhelming feeling of the neighborhood. No one from their homeowners association was interviewed; it was a very biased one-sided report. The neighborhood has changed into a true residential community. Meetings have been held and they have a near unanimous vote approving this trial as proposed. The problem is that there is not enough free parking and that is why the parking problem has overflowed into the residential neighborhoods. Some residents have begun cannibalizing their lawns to expand their driveways, and green space is being lost. He supported a 24/7 program. The parking should be pushed toward the businesses.

Barbara Whitaker, 3308 NE 16th Place, said their neighborhood is a unique area. They have a strong homeowners association. She supported the trial program.

Michelle McManus, 3305 NE 18th Street, said the parking also brings in more trash to their neighborhood. The program is needed and she is in support of the trial program. She felt it should be free.

Jerry Williams, 3316 NE 18th Street, said their area is a parking lot for the Pelican Beach Resort. He support the trial program.

Bill Boswell, 3300 NE 16th Street, said he is in support of the parking permit program as proposed. This is a quality of life issue. They do not want to deny public access to the Beach, but they want security and quality of life.

Richard Gentry, 3300 NE 16th Street, said he is in support of the trial program. The real issue is change because they are no longer a small town. He noted that homes have been burglarized during the day. He felt restricted parking would help secure their

neighborhoods. People from the beach relieve themselves in the yards. Drug paraphernalia, etc. is left on the streets. The community has large urban problems.

Anjal Soler, 3325 NE 18th Street, said her home is surrounded by a six foot wall. Cars have backed into her property. Police have been called many times due to the activities taking place in their neighborhood. There is no lifeguard.

Mollie Meyers, 1541 North Atlantic Boulevard, said that this problem did not exist years ago. Since the Pelican Resort has been built, the area has been impacted. Cars park on the finger streets. Cars have been stolen and homes broken into. She was concerned about the increase in crime and how traffic is impacting the area. This program is greatly needed.

Sharon Tiberio, 3304 NE 16th Court, was glad to see the City addressing the parking problem. The beach visitor parking has been compounded because the nearby hotels are encouraging their personnel to park in the residential neighborhoods. The quality of life for the neighborhood has been adversely affected. She felt the needs of visitors and business owners have been placed above the needs of the residents. Traffic on the streets is a safety issue to children. The debris is offensive in the area. She believed participation in the trial program will lead to a palatable permanent solution. The trial program will help to discover weaknesses in the program that could then be addressed before a permanent program is put into place.

Commissioner Moore left the dais at approximately 7:37 p.m.

Mayor Naugle asked how Ms. Tiberio knew that the hotels are telling their employees to park in the residential neighborhoods.

Ms. Tiberio said that such information has come from neighbors who live closer to the hotels.

Mark Craven, 3305 NE 15th Court, said he is in support of the trial program.

Deborah Mayor, 3315 NE 14th Court, said they have to move cars around in the driveway due to all the parking in the neighborhood. She supported the trial program.

Lori Bruno, 3329 NE 16th Court, said she is in favor of the trial program. It is dangerous on weekends because cars speed through the area looking for parking spaces. She said that property values will increase once the traffic is reduced. She supported the trial program.

Vicky Craven, 3305 NE 16th Court, said she is in support of the trial program.

Marlene Weiss, 3320 NE 16th Court, said she is in support of the trial program because it is greatly needed.

Maggie Fallon, 17th Street, said she is in support of the trial program. Cars have been hit twice due to individuals attempting to make sharp turns. One individual who hit her vehicle is an employee of Pelican Beach Resort. She indicated that her employer indicated this would be a good place to park. The neighborhood needs help.

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

Jeanette Checchio, 3316 NE 16th Street, said she is in support of the trial program. She talked about the difficulties in getting a place to park. She talked about the disturbance that beachgoers cause.

Richard Rubin, 3311 NE 25th Court, said he is in support of the trial program because this is a big problem for their neighborhood.

Brian Donaldson, 3321 NE 16th Street, President of Birch Park Finger Streets Homeowners Association, noted that a parking problem exists. The study performed supports the need. There is no clear-cut answer as to an ideal solution. The Birch Park Finger Streets are strictly residential. Their needs are different than other areas. Homeowners are willing to pay whatever necessary, but he asked the Commission to re-evaluate the cost of the trial program. They would also like the Commission to reconsider the prohibition of parking after 9 p.m. on A1A because it forces those individuals to go into the neighborhoods. They are in support of the trial program.

Veronica DePedro, 1405 SE 2nd Street, Colee Hammock Homeowners Association, felt it is outrageous how the Colee Hammock and Beverly Heights neighborhoods have been treated. After five years of work, they are now being pushed aside by a neighborhood that just stepped in and submitted a plan. Colee Hammock and Beverly Heights were told to accept this plan or wait. Colee Hammock and Beverly Heights have submitted their own plan. It has not been given the same courtesy as the proposed plan. The Walker study shows there is a parking problem in Colee Hammock until midnight. If this study had continued, it would have showed a problem until 3 a.m. They are also being impacted by two hospitals that do not supply employee parking. The businesses on Las Olas have been granted so many variances that the City has lost track of them. The City needs to step up and do their job. Enforcement also needs to be increased. They should address provision of parking for the hospitals and businesses along Las Olas and Broward Boulevard. Trolleys are available during the day. There are solutions for the employers, but they do not want to pay. The City needs to serve the residents, and address quality of life. Colee Hammock and Beverly Heights should be able to utilize the program they submitted, for a trial period, beginning in September. She did not think that they should be told to accept the Birch Finger Streets program or wait until January. She also did not agree with charging more than \$1 for guest passes.

Tom Welch, 7 Street/13 Avenue, Colee Hammock, said the program is good for the Birch Finger Streets. Each neighborhood needs a program that fits their specific needs. Even within Colee Hammock, some areas need it 24/7 and others are not as impacted. He did not want to see much more delay. A program is needed. He referred to the City of Hollywood Parking Division and that additional staff were not needed and it was indicated to him also that the residential program could be handled manually. This could be done at a reasonable cost. In Hollywood, guest passes are not administered by the neighborhood associations, they are administered by the City.

Richard Mancuso, 827 SE 2nd Street, President of Beverly Heights Homeowners Association. If the proposal is to bifurcate the neighborhoods, then they support it as long as this proposed plan is not the model for the entire City. Beverly Heights situation is more complicated. They want to work with the businesses and find creative solutions

for everyone. Permits are only one part of the issue. They want to extend the hours for parking on Broward Boulevard and Las Olas Boulevard, and find more efficient ways to move traffic. If the decision is to separate the two areas, he will reserve comment until Beverly Heights is addressed.

Kelly Stratton, 1225 SE 2nd Street, said this is a difficult issue. Everyone's problems are different. They should not have the burden of guest passes. Concerns in Colee Hammock are different in each street. There are establishments that flood the area starting around 7 o'clock, until 3. Businesses are told to park on the street. They want a solution that is suitable for their neighborhood.

Sara Hasselman, 1201 SW 2nd Court, Colee Hammock, said she could not afford \$140 a year to park her car in the street. She asked if anyone wanting to park in the area and go to the beach would be able to purchase a parking permit. She also felt police patrol needs should be addressed. She was opposed to the price of the parking permit. She was concerned about the suddenness and overall did not think it is fair.

Robert Rudnick, 3321 NE 16th Court, agreed with Commissioner Rodstrom that what is good for the beach is not necessarily good for Colee Hammock. He felt Colee Hammock and Beverly Heights should be addressed separately. He also expressed concern about the traffic and speeding with children in the street.

Maggie Kurtz, 114 SE 15th Avenue, said that there is a parking issue on certain streets, but her street is one of the busiest and she is able to find parking most nights. She felt the proposal hurts more residents than it helps. She is opposed to it.

Mike Kurtz, 114 SE 15th Avenue, said that the parking issues on the beach and Colee Hammock are completely different. He agreed with Vice Mayor Hutchinson. Restricting parking also restricts the businesses. The residences and businesses need to work together to find a solution. This parking program is not good for Colee Hammock.

Mayor Naugle said there appears to be a lot of support for this program on the beach. Although it appears that Colee Hammock and Beverly Heights came into the discussion at the last minute, the City has been discussing permit parking on the beach for twenty years. The areas are different. Whatever proposal is brought forward, it should be revenue neutral to the City, and done in a way so the City does not make a profit. He is in support of the trial program. The prices seem a little high, but the professionals believe this is the cost of the program. After the trial, the City will have a better handle on it. If a different plan is brought forward for Colee Hammock and Beverly Heights, they should not have to wait to put it into effect. The City's goal should be to help the neighborhoods with these problems. With respect to Las Olas, Mayor Naugle said that studies have shown there is not a shortage of parking, but a shortage of free parking. Employees search out free spaces. A permit program might help. There are national publications that direct people to that beach area and engage in illicit activities. This is something that no neighborhood should have to tolerate. There are unique problems in both areas.

Commissioner Moore thanked staff for their hard work on this issue. He suggested that the finger streets be privatized. This way the neighborhood would have full control. Capital outlay would maintenance would be small compared to fees paid for parking permits. For example, Sunrise Key came up with a safe neighborhood association in

order to reduce cut-thru traffic and crime. Also, the City needs to review lifeguard coverage.

Vice Mayor Hutchinson felt that Birch Finger Streets should be commended for their plan, but it is their plan and not for Colee Hammock or Beverly Heights. She said she would support whatever they want. The kinks could be worked out in this trial.

Commissioner Rodstrom wanted this to be for all neighborhoods eventually, but apparently it is separated at the moment. Staff has worked hard on this program. This is a problem caused by the City due to the intensity of development. Therefore, it is the Commission's responsibility to make things better for their neighborhoods. She supported the program for Birch Finger Streets. Since they are the trial neighborhood, there should be a discount. The City should bear some of the burden.

Commissioner Teel felt that the behavior mentioned tonight is totally unacceptable and should not be permitted. She felt the Commission should support the community in effort to solve these problems. These plans need to be customized to the neighborhood. She felt the bumps in the trial program will be worked out and the quality of life improved. She supported the program for the beach and hoped that Colee Hammocks and Beverly Heights will develop a plan for their needs.

Commissioner Rodstrom suggested reducing the permit price to \$50. She wanted to ensure that the cost would be consistent for all the neighborhoods ultimately.

Mayor Naugle said once the program is put in place, staff will know about revenue from citations, and at the end of the six months, it might be possible to reduce it then.

Vice Mayor Hutchinson introduced the ordinance on first reading:

ORDINANCE NO. C-06-22

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA,
CREATING A TRIAL RESIDENTIAL PARKING PERMIT PROGRAM FOR
THE AREA KNOWN AS THE BIRCH PARK BEACH FINDER STREETS
INCLUDING N.E. 18TH STREET ON THE NORTH TO N.E. 14TH COURT
ON THE SOUTH ESTABLISHING A FINE FOR VIOLATIONS AND
FURTHER PROVIDING THAT THE ORDINANE SHALL BE EFFECTIVE
FOR A KPEROID OF SIX MONTHS.

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

Commissioner Moore wanted the Commission to consider extending parking on the beach from 9:00 p.m. to 11:00 p.m. In order to see the true impact, the hours should be adjusted simultaneously with the trial program.

Police and Firefighters Retirement System – Cost of Living Adjustment One-Year Extension (O-2)

Vice Mayor Hutchinson introduced the ordinance on first reading:

ORDINANCE NO. C-06-23

AN ORDINANCE AMENDING CHAPTER 20, DIVISION 3 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESPECTING THE POLICE AND FIREFIGHTERS' RETIREMENT SYSTEM BY READOPTING SECTION 29-129(f) OF THE RETIREMENT SYSTEM EXTENDING COST OF LIVING ADJUSTMENT FORMULA, PROVIDING OR A REPEAL DATE OF JULY 15, 2007, UNLESS READOPTED BY THE CITY COMMISSION, AND PROVIDING THAT NO COST OF LIVING ADJUSTMENTS SHALL BE MADE BASED ON THE RETIREMENT SYSTEM'S PERFORMANCE FOR CALENDAR YEAR 2006; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Amendment to the Pay Plan – Schedule I (O-3)

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson to defer this matter until July 18, 2006 at 6:00 p.m. (at request of City Manager). Roll call showed: YEAS: Commissioners Rodstrom and Moore, Vice Mayor Hutchinson, Commissioner Teel, and Mayor Naugle. NAYS: None.

Vacation of Right-of-Way – Between Andrews and NE 1 Avenues - Reliance Andrews LLC – Case 34-P-05 (O-4)

Commissioner Moore introduced the ordinance on second reading:

ORDINANCE NO. C-06-17

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL OF THE 15 FOOT ALLEY IN BLOCK 319, PROGRESSO, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS FO MIAMI-DADE COUNTY, FLORIDA; LYING SOUTH OF THE NORTH LINES OF LOTS 34 AND 15 IN SAID BLOCK 319 AND LYING NOIRTH OF THE SOUTH LINE OF SAID BLOCK 319, LOCATED NORTH OF NORTHEAST 6 STREET BETWEEN NORTHEAST 1 AVENUE AND NORTH ANDREWS AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

Advisory Board/Committee Appointments

(OB)

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

Board of Adjustment	Gus Carbonell Fred Stresau Birch Willey
Marine Advisory Board	Bobby DuBose

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 06-112

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

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

Sales Tax Increase Dedicated for Mass Transit
(Refer to Conference Meeting)

(OB)

Commissioner Moore did not feel the Commission needs to take a position on this matter because there are too many issues unresolved.

Mayor Naugle said that if new information comes to light that the City Manager believes a majority may want to support this, he should put it on the agenda, otherwise wait until November.

There being no other matters to come before the Commission, the meeting was adjourned at 8:23 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk