

**FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
JANUARY 4, 2007**

Agenda

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
JANUARY 4, 2007**

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 Auditor	John Herbst
	City Clerk	Jonda K. Joseph
	City Attorney	Harry A. Stewart
	Sergeant At Arms	None

Invocation was offered by Reverend Charles Sneed, Chaplain Fort Lauderdale Police Department, followed by the recitation of the Pledge of Allegiance.

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

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel that the minutes of the December 12, 2006 Conference and Regular Meetings and the December 19, 2006 Conference and Regular Meetings and agenda be approved. Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

Presentations

1. Community Appearance Board – WOW Award – District I (PRES-01)

Commissioner Teel and the City Commission presented the WOW Award for District I – Palm Aire Village, to Schuylar Jacobs who resides at 6801 NW 25th Way for the work he has done on his home.

2. Expression of Sympathy (OB)

Commissioner Moore and the City Commission offered an expression of sympathy to the family of Audley Eubanks.

3. Acceptance of \$325,000 From South Florida Water Management District Alternative Water Supply Projects (PRES-02)

Commissioner Moore and the City Commission accepted a check in the amount of \$325,000 from Miya Burt-Stewart, governing board member of the South Florida Water Management District, a fiscal year 2007 grant for alternative water supply projects.

Ms. Stewart discussed various alternative water supply projects, including Everglades restoration. She commended Albert Carbon, Public Works Director.

4. Outstanding Employees

Bruce Roberts, Chief of the Police, honored Marty Markowitz, Records Clerk, as the civilian employee for the month of November, 2006.

Chief Roberts honored PSA Raymond Ketchmark as civilian employee for the month of December, 2006.

Commissioner Moore left the dais at approximately 6:14 p.m. and returned at 6:17 p.m.

Chief Roberts honored Officer Eileen Reyes as officer of the month for January, 2007.

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 – Dr. Martin Luther King, Jr. Parade Closing Roads Along Parade Route (M-1)

Staff will return before the Commission after the event for appropriation from General Fund contingencies, as approved at the 12/19/06 Commission meeting.

A motion authorizing and approving execution of an Event Agreement with Dr. Martin Luther King, Jr. Celebration Committee, Inc. for Dr. Martin Luther King, Jr. Parade, to be held Monday, January 15, 2007, 8 AM – 11 AM, beginning at Mount Olive Baptist Church, proceeding west on Sistrunk Boulevard and ending at Delevoe County Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0059

State Homeland Security Grant Acceptance - \$18,019 (M-2)
First Responder Preparedness

Appropriate Grant Award of \$18,019 to index code GBOMB07

A motion authorizing: (1) acceptance of grant funds in the amount of \$18,019 from Florida Department of Law Enforcement – State Homeland Security Grant, and (2) proper City Officials to execute all necessary documents to receive and disburse these grant funds for first responder preparedness.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0034

Donation to Broward County Crime Stoppers - \$10,000 (M-3)

\$10,000 from Law Enforcement Property Fund (104) to POLO50201 (General Police Confiscation Account) subobject 4299 (misc. Commission)

A motion authorizing donation of \$10,000 to Broward County Crime Stoppers and authorizing appropriation and transfer of \$10,000 from Law Enforcement Trust Fund to General Police Confiscation Account.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0060

Disbursement of Funds/Joint Investigation/O.R. No. 06-2070 (M-4)
Law Enforcement Trust Fund

No budgetary impact

A motion authorizing the equitable disbursement of funds in the amount of \$368,429.60 with each of the thirteen participating agencies to receive \$28,340.73.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0036

Disbursement of Funds/Joint Investigation/O.R. No. 04-121973 (M-5)

Local Law Enforcement Trust Fund**No budgetary impact**

A motion authorizing the equitable disbursement of \$184,953.03 with each of the thirteen participating agencies to receive \$14,227.15.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0037

Contract Award – Tenex Enterprises, Inc. - \$288,950 (M-6)
Executive Airport – Drainage Improvements

\$288,950 is budgeted in P10421.468, subobject 6599

A motion authorizing the proper City Officials to award and execute a contract with Tenex Enterprises, Inc., in the amount of \$288,950 – improvements to Executive Airport drainage system – Project 10421.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0046

Increase Scope of Services – Wingate Landfill Closure (M-7)
\$150,000 – Troutman Sanders, LLP

\$150,000 to be transferred from FD409.01, subobject 9930 – Wingate Reserve Fund in the Sanitation Fund, to P08631.409, subobject 6599

A motion authorizing an increase in the Scope of Services to City's Special Counsel, Troutman Sanders, LLP, in the amount of \$150,000 – additional services – Wingate Landfill Closure – Project 8631.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0047

Task Order 4 – Post Buckley Schuh & Jernigan, Inc. - (M-8)
\$16,767.60 – Hurricane Repairs – Swimming Hall of Fame and Aquatic Complex

\$16,767.60 is budgeted in P16048.125 subobject 6599

A motion authorizing the proper City Officials to execute Task Order 4 to Post Buckley Schuh & Jernigan, Inc., in the not-to-exceed amount of \$16,767.60 – engineering,

architectural and construction management services – replacement of breezeway ceiling – Swimming Hall of Fame and Aquatic Complex.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0053

Task Order – Camp, Dresser & McKee Inc. - \$127,944 (M-9)
Industrial Wastewater Pretreatment Local Limit Review

\$127,944 is available in PBS 670701, subject 3299

A motion authorizing the proper City Officials to execute a Task Order with Camp, Dresser & McKee Inc., in the amount of \$127,944 – evaluation of local industrial wastewater pretreatment limits.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0039

Change Order 4 – MBR Construction, Inc. - \$44,394.28 (M-10)
NE 33 Avenue – Dolphin Isles – Neighborhood Improvements

Transfer \$17,876.53 from P00382.6599 New Stormwater Management Facilities, to P10247.470, 6599; \$26,517.75 is budgeted in P10247.319, subject 6599

A motion authorizing Change Order 4 with MBR Construction, Inc., in the amount of \$44,394.28 – NE 33rd Avenue – Dolphin Isles Neighborhood Improvements – Project 10247.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0005

Change Order 4 – MBR Construction, Inc. - \$56,308.69 (M-11)
City Parking Garage Rehabilitation – Elevator Replacement

\$56,308.69 is budgeted in P10708.461, subject 6599

A motion authorizing Change Order 4 with MBR Construction, Inc., in the amount of \$56,308.69 – City Parking Garage Rehabilitation Phase II Elevator Replacement – Project 10708.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0006

Former Compost Plant Property – Reimbursement to U.S. Environmental Protection Agency - \$5,960,625 (M-12)

\$5,960,625 needs to be transferred from available net asset in Water and Sewer Capital Project Fund 454 to P11172.454, subobject 6599 (Construction)

A motion authorizing: (1) retention of former compost plant property at 4030 State Road 7, Dania Beach, Florida; and (2) reimbursement of \$5,960.625 to U.S. Environmental Protection Agency.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0065

**2006-2007 Alternative Water Supply Funding Program - \$325,000 (M-13)
South Florida Water Management District - Agreement**

\$1,300,000 to be transferred from the Water and Sewer Bond Funds to P11137.482, subobject 6599 for the cash match

A motion authorizing the proper City Officials to execute a funding agreement with South Florida Water Management District, in the amount of \$325,000 – 2006/2007 Alternative Water Supply – Project 11137.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0032

CONSENT RESOLUTION

**Executive Airport – Airfield Turf Improvements (CR-01)
Joint Participation Agreement – Florida Department
Of Transportation**

A resolution authorizing the proper City Officials to execute a Supplemental Joint Participation Agreement with Florida Department of Transportation – Airfield Turf Improvements at Executive Airport.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-1746

Executive Airport – Perimeter Road Resurfacing (CR-02)
Joint Participation Agreement – Florida Department
Of Transportation

A resolution authorizing the proper City Officials to execute a Supplemental Joint Participation Agreement with Florida Department of Transportation –Perimeter Road Resurfacing at Executive Airport.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-1752

Executive Airport – Security Improvements (CR-03)
Joint Participation Agreement – Florida Department
Of Transportation

A resolution authorizing the proper City Officials to execute a Supplemental Joint Participation Agreement with Florida Department of Transportation – U.S. 1 (State Road 5), between SE 30 Street and State Road 84.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0067

Landscaping Maintenance Agreement – U.S. 1 Between SE 30 St. (CR-04)
& State RD 84 – Florida Department of Transportation

A resolution authorizing the proper City Officials to execute a landscaping maintenance agreement with Florida Department of Transportation – U.S. 1 (State Road 5), between SE 30 Street and State Road 84.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-1788

Coral Ridge Bayview Neighborhood Park – Open Space 135 (CR-05)
Capital Improvement Plan – Interlocal Agreement –
Broward County

A resolution authorizing funding for development of Open Space Site 135 – Coral Ridge Bayview Neighborhood Park – located at 2401 NE 27 Terrace, in 5-year Capital Improvement Plan; and authorizing the proper City Officials to execute an Interlocal Agreement with Broward County and all documents necessary to receive funding for the property purchase – Safe Parks and Land Preservation Bond Program.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0057

2007 Pre-Disaster Mitigation Program Grant – FEMA (CR-06)
Impact Resistant Windows and Doors

A resolution authorizing the proper City Officials to apply for and accept funds in the estimated amount of \$750,000 from Florida Division of Emergency Management (FEMA) – 2007 Pre-Disaster Mitigation Program – installation of impact resistant windows and doors – City match of \$250,000.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0070

Rescheduling January 16, 2007 Commission Meetings to (CR-07)
January 17, 2007

A resolution rescheduling the January 16, 2007 City Commission Regular and Conference meetings to January 17, 2007, due to the Martin Luther King, Jr. holiday.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0079

PURCHASING AGENDA

173-9664 – Life Support Re-Certification Training (PUR-01)

\$25,560 is budgeted to 010301, 3199, Professional Services

One-year contract for adult and pediatric advanced cardiac life support re-certification training for all state certified Paramedics is being presented for approval by the Fire Rescue Department.

Recommend: Motion to approve.

Vendor: Emergency Medical Consultants, Inc.
Port Saint Lucie, FL

Amount: \$25,560.00 (estimated)

Bids Solicited/Rec'd: 221/2

Exhibit: Commission Agenda Report 07-0045

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

RFP 375-9634 – Consulting Contract – Multi-Facility Development Plan – Long-Range Facility Planning – City Facilities (PUR-02)

\$253,000 is budgeted in PLN010101, sub-object 3199

Approval to award consulting contract for Multi-Facility Re-Development Plan to HDR Architecture, Inc. – long-range facility planning – City facilities.

Recommend: Motion to approve.

Vendor: HDR Architecture, Inc.
West Palm Beach, FL

Amount: \$253,000.00 (estimated)

Bids Solicited/Rec'd: 10275

Exhibit: Commission Agenda Report 07-0078

The Procurement Services Department has reviewed this item and recommends awarding to the first-ranked proposer, as determined by the Selection and Evaluation Committee.

Proprietary – Portable Mesh Video Units for Illegal Dumping (PUR-03)

\$13,028.49 from Sanitation PBS090101, sub-object 3199 (other prof. service)

Approval to purchase two high resolution, pan, tilt and zoom color cameras with mesh radios to combat illegal dumping, is being presented for approval by Police Department.

Recommend: Motion to approve.

Vendor: Security 101
Coral Springs, FL

Amount: \$13,028.49

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-0040

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

Executive Airport – Airfield Turf Improvements Joint Participation Agreement – Florida Department of Transportation (CR-01)

Accepting Grant by Resolution: Resubmit item for funding appropriation by Ordinance.

RESOLUTION NO. 07-04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION JOINT PARTICIPATION AGREEMENT (JPA) WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (FDOT), FOR AIRFIELD TURF IMPROVEMENTS AT THE FORT LAUDERDALE EXECUTIVE AIRPORT FOR THE ESTIMATED COST OF \$175,000 OF WHICH FDOT AGREES TO PROVIDE FINANCIAL ASSISTANCE IN THE AMOUNT OF ONE HUNDRED FORTY THOUSAND DOLLARS (\$140,000), NOT TO EXCEED EIGHTY PERCENT (80%) OF THE TOTAL PROJECT COST (FINANCIAL PROJECT NO. 412702-1-94-01).

Executive Airport – Perimeter Road Resurfacing (CR-02)
Joint Participation Agreement – Florida Department
Of Transportation

Accepting Grant by Resolution: Resubmit item for funding appropriation by Ordinance

RESOLUTION NO. 07-05

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION JOINT PARTICIPATION AGREEMENT (JPA) WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (FDOT), FOR PERIMETER ROAD IMPROVEMENTS AT THE FORT LAUDERDALE EXECUTIVE AIRPORT FOR THE ESTIMATED COST OF \$300,000 OF WHICH FDOT AGREES TO PROVIDE FINANCIAL ASSISTANCE IN THE AMOUNT OF TWO HUNDRED FORTY THOUSAND DOLLARS (\$240,000), NOT TO EXCEED EIGHTY PERCENT (80%) OF THE TOTAL PROJECT COST (FINANCIAL PROJECT NO.: 412704-1-94-01).

Executive Airport – Security Improvements (CR-03)
Joint Participation Agreement – Florida Department
Of Transportation

Accepting Grant by Resolution: Resubmit item for funding appropriation by Ordinance

RESOLUTION NO. 07-06

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION JOINT PARTICIPATION AGREEMENT (JPA) WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (FDOT), FOR SECURITY IMPROVEMENTS AT THE FORT LAUDERDALE EXECUTIVE AIRPORT FOR THE ESTIMATED COST OF \$730,000 OF WHICH FDOT WILL

CONTRIBUTE ONE HUNDRED PERCENT (100%), UP TO A MAXIMUM OF SEVEN HUNDRED THIRTY THOUSAND DOLLARS (\$730,000), (FINANCIAL PROJECT NO.: 412703-1-94-01).

**Landscaping Maintenance Agreement – U.S. 1 Between SE 30 St. (CR-04)
& State RD 84 – Florida Department of Transportation**

No budgetary impact

RESOLUTION NO. 07-07

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A MAINTENANCE MEMORANDUM OF AGREEMENT (MOA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR LANDSCAPING IMPROVEMENTS TO STATE ROAD 5 FROM FORT LAUDERDALE AIRPORT (M.P.1.118) TO SE 18TH STREET (M.P.3.00) AND STATE ROAD 5 FROM SE 30TH STREET (M.P.2.071) TO SR 84 (M.P.2.644).

**Coral Ridge Bayview Neighborhood Park – Open Space 135 (CR-05)
Capital Improvement Plan – Interlocal Agreement –
Broward County**

\$78,000 needs to be transferred from Park Impact Fees Fund (269-450215) to the Coral Ridge Bayview Neighborhood Park, P11184.331

RESOLUTION NO. 07-08

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE ACQUISITION, IMPROVEMENT, ENHANCEMENT, OPERATION AND MANAGEMENT OF OPEN SPACE SITE 135 AND APPROVING THE INCLUSION OF FUNDING FOR THEIR DEVELOPMENT IN THE CITY'S FIVE-YEAR CAPITAL IMPROVEMENT PLAN.

**2007 Pre-Disaster Mitigation Program Grant – FEMA (CR-06)
Impact Resistant Windows and Doors**

No current year budgetary impact – grant cash match of \$250,000 needed in FY 07/08; OMB approved

RESOLUTION NO. 07-09

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR AND ACCEPT FUNDS BEING OFFERED

THROUGH THE STATE OF FLORIDA'S DIVISION OF EMERGENCY MANAGEMENT 2007 PRE-DISASTER MITIGATION PROGRAM TO IMPLEMENT COST-EFFECTIVE HAZARD MITIGATION ACTIVITIES PRIOR TO DISASTERS.

Rescheduling January 16, 2007 Commission Meetings to January 17, 2007

(CR-07)

No budgetary impact

RESOLUTION NO. 07-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCHEDULING THE JANUARY 16, 2007, REGULAR AND CONFERENCE MEETINGS OF THE CITY COMMISSION TO JANUARY 17, 2007.

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 Items M-13, Pur-2, and CR-05 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

Former Compost Plant Property - Reimbursement

(M-12)

To U. S. Environmental Protection Agency - \$5,960,625

Mayor Naugle announced the City Manager is removing this item from tonight's agenda.

Proprietary – Portable Mesh Video Units for Illegal Dumping

(PUR-03)

Mayor Naugle announced a correction to the vendor for this item. It should read:

Vendor: ABI Integrators, Inc. d/b/a Security 101

Mayor Naugle said that the ordinance for rezoning and site plan of the northeast corner of State Road 84 and I-95 was deferred to this date. The applicant is now requesting an indefinite deferral.

2006-2007 Alternative Water Supply Funding Program -

(M-13)

\$325,000 – South Florida Water Management District – Agreement

Commissioner Rodstrom said that looking into alternative water supply sources is an important issue. She believed as the City seeks alternate sources of water since the City does not have any of that type of treatment plant, utility costs to taxpayers will increase. She referred to the cost of the WaterWorks program and the increase of \$27 million for addressing two plants being approved this evening. If the City continues at this rate with three more bond issues to do and they reach the \$1 billion mark, what will be the cost to the taxpayers, and is there a plan to keep the costs in an affordable range. She also asked how many more residents can be serviced at an affordable rate. Albert Carbon, Director of Public Works, said the City is currently updating the 2000 Water and Wastewater Master Plans, and working with the South Florida Water Management District on the City's consumptive use permit which will indicate the City's water allocation. Once the availability water rules go before the South Water Management District, the City can then finalize their master plans and those kinds of questions will be addressed.

Mr. Carbon did not know the source of the \$1 billion number, but the engineer's feasibility report prepared for the bond issue in 2006 indicated that the WaterWorks Program was \$768 million. There are programs outside of the WaterWorks Program which go beyond 2011. The feasibility report ranged from 2006 to 2013. The capital improvement function included \$26 million for Peele Dixie and other capital improvements related to the water system. Future needs are being planned for.

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, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

Coral Ridge Bayview Neighborhood Park – Open Space 135 (CR-05)
Capital Improvement Plan – Interlocal Agreement – Broward County

Douglas Haas, 2409 NE 27 Terrace, said the park is a great idea, but the neighborhood wants some input concerning impact of the park on the community. He mentioned buffers, traffic, crime and loitering. He wanted to know the definition of passive park. Commissioner Teel commented that a number of people in this neighborhood approached the homeowner association sometime ago about the City purchasing this property and developing it as a park. Planning of the park has not yet started, but it will be low impact. She assured Mr. Haas that he will be invited to participate in the planning. There will be accommodations for a few cars to park; a couple benches and possibly a swing set for tots. Broward County requires it be a passive use. Because it is within eye shot of Bayview Drive, people will be viewing the area and there will be a built-in security system so to speak. The small portion where the trash can, bench and bus stop is already owned by the City. Mr. Haas was concerned about traffic and wanted to have input. Commissioner Teel assured Mr. Haas if he would furnish his contact information, he will be notified. She assured him there will not be large activity. She felt it will be an asset of more open space.

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, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

RFP 375-9634 – Consulting Contract – Multi-Facility Development Plan Long-Range Facility Planning – City Facilities (PUR-02)

Commissioner Rodstrom asked if there is a funding source to construct the proposed new buildings.

Commissioner Teel left the dais at approximately 6:30 p.m. and returned to the dais at 6:31 p.m.

Kirk Buffington, Director of Procurement Services, said he could not directly answer what the funding source would be. The idea is for the consultant to explain what financing options are available without expending cash from the General Fund. For example, private, public partnerships have been discussed. He referred to the City of Orlando and construction of their city hall. Commissioner Rodstrom asked if an option would be to place this on the ballot for a bond. Mr. Buffington said that would be an option, but he would not be the one to speak on the final outcome.

In response to Commissioner Rodstrom’s question as to the study need at this time, Mr. Buffington said the study is needed before they could move forward with a bond referendum if needed.

The City Manager said the concept is to understand the City’s assets and options. Staff knows the problem with the police station needs to be addressed along with issues regarding City Hall. The longer the City waits the less options there will be. There is a charge from the Commission to have the police station on the November 2008 ballot. Staff would like to understand the options before it is placed on that ballot.

Vice Mayor Hutchinson recalled this was discussed during the budget deliberations. The study was a priority to be completed if it was placed on the ballot.

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

RESOLUTIONS

Amendment to Site Plan – The Foundry - Storage Building – Case 107-R-04 (R-01)

No budgetary impact

Applicant: Foundry Lofts, LLC
Location: 411 NW 1 Avenue
Zoning: Downtown Regional Activity Center – Urban Village

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 07-01

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AMENDMENT TO THE DEVELOPMENT PLAN TO DEVELOP RESIDENTIAL UNITS, RETAIL/OFFICE SPACE AND PARKING LOT LOCATED AT 411 S.W. FIRST AVENUE, FORT LAUDERDALE, FLORIDA IN A RAC-UV ZONING DISTRICT.

Which resolution was read by title only.

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

Commissioner Moore asked how many of these units would be attainable in price. Robert Lochrie, representing the Applicant, said this request is not related to the 36 units which were approved in 2004 and are currently under construction. This is a request to amend the site plan to include a different use to the west. The intent is to sell the 36 units at market price. He did not know if any of the units would fall within the category. Alan Hooper, Applicant, said that none of the units are set to be attainable; they will be market rate.

Commissioner Moore questioned a storage facility in this area. Wayne Jessup, Planning and Zoning, said storage use is permitted in the area and is compatible within the context of the Downtown Master Plan with respect to mass, scale and relationship to adjacent projects.

Commissioner Moore said that previously this developer objected to a storage facility in this area because of the housing development. Mr. Hooper said that the previously proposed storage facility was to be in the RAC-CC district about 400 yards from this site. It was to be a free-standing storage facility and did not resemble a residential building. They interpreted the code to mean that it must be a complimentary use to another use. It actually had to go to the Court of Appeals to interpret it differently. Although not required, they made this a complimentary use. Even though the interpretation was different in the other zoning district, they have gone beyond the call of duty in creating something that is complimentary.

Commissioner Moore asked for this item to be pulled so he could be informed of the Community Redevelopment Agency CRA advisory board's position on this. He noted a few months ago there was a big discussion about another storage facility by that advisory board. He wanted to know more about the design.

Vice Mayor Hutchinson thought in the past other amendments in the CRA have not gone back to the CRA advisory board. Mr. Jessup confirmed that is correct.

Vice Mayor Hutchinson said she also interpreted the code that there had to be an accessory, complimentary use to the existing use. The project mentioned was a stand alone storage facility that complimented nothing. This project compliments the existing

residential projects in the area and will be used by area residents. She did not favor pulling this item. She thought it is a good use.

In response to Commissioner Moore, Mr. Lochrie said this will be a public storage facility. Commissioner Moore said that it appears the developer fought against the other storage facilities because of competition. He did not want to believe that. He wanted to hear input from the CRA advisory board.

In response to Commissioner Moore, Alfred Battle, Director of Northwest Progresso Flagler Heights Community Redevelopment Agency, said the next meeting of the CRA advisory board is January 24, 2007.

Commissioner Rodstrom asked if area residents were contacted about this. Mr. Lochrie said the developer spoke directly with the residents to the west and the project was well received.

Commissioner Rodstrom expressed support in the project.

Mayor Naugle also expressed support. He commented that Mr. Hooper is one of the few developers who continues to build quality projects in this economic downturn. The storage component is a minor portion of the overall development. He asked if the storage units would be attainable for the residents residing in The Lofts. Mr. Hooper confirmed yes. He thought it would also probably support much of Flagler Village and compliment the area.

Commissioner Teel felt this project is well thought out and compliments the area while providing a needed buffer between the railroad tracks. It shows good planning. It is a low impact project and adds to the area. She supported it.

Commissioner Moore asked about the zoning on this site and what uses are permitted. Mr. Jessup said the zoning permits a multiple of uses, such as automotive parts and supplies, automotive service station, marine parts and supply store, billard parlor, indoor cinema with fewer than 5 screens, and performing arts theater with less than 300 seats.

Commissioner Moore said the use on this site could change in the future. Because of the underlying zoning, there could be obnoxious uses. Prior to his election to office, most of those obnoxious uses were along the railroad and consistently in northwest Fort Lauderdale. He wanted to meet with the developer as well as the advisory board to ensure that these other uses would not occur. He did not object to the storage use proposed.

Motion made by Commissioner Moore to table this item. Motion died for lack of a second.

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

No budgetary impact

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 07-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA , RESCINDING RESOLUTION NO. 06-144 AND DECLARING THAT CERTAIN LANDS, WITH AN APPROXIMATE STREET ADDRESS OF 5700-6000 N.W. 31ST AVENUE, FORT LAUDERDALE, FLORIDA, BEING MORE PARTICULARLY DESCRIBED BELOW, ARE NOT PRESENTLY NEEDED BY THE CITY FOR GOVERNMENTAL PURPOSES OTHER THAN AS SPECIFIED BELOW, AND DECLARE THE INTENTION OF THE CITY COMMISSION TO OFFER SUCH LANDS FOR LEASE UNDER COMPETITIVE CONDITIONS, UPON CERTAIN TERMS AND CONDITIONS AND IN ACCORDANCE WITH SECTION 8.09 OF THE CITY CHARTER; AND FURTHER DIRECTING THE CITY CLERK TO PUBLISH PUBLIC NOTICES REGARDING THE OFFERING OF SUCH LANDS FOR LEASE.

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

CITIZEN PRESENTATIONS

Michael Garbarino

(CIT-01)

December 22, 2006 Special Commission Meeting and Fort Lauderdale “Lockhart” Stadium – Baltimore Orioles Project.

Not present.

Commissioner Moore left the dais at approximately 6:51 p.m.

Mike Moran

(CIT-02)

Results from 2006 Ocean Conservancy Beach Clean-Up Study.

Not present.

ORDINANCES

Fire Station 29 – Setback, Buffer yard Wall and Parking

(O-01)

Requirements – Relief from ULDR Requirements for Public Purpose – Case 110-R-06

No budgetary impact

Vice Mayor Hutchinson introduced the following ordinance on the second reading:

ORDINANCE NO. C-06-44

AN ORDINANCE APPROVING A FIRE STATION AND OFFICE BUILDING THAT DOES NOT MEET THE SETBACK, WALL AND PARKING AND LOADING REQUIREMENTS IN A CF ZONING DISTRICT, WHICH SITE IS MORE FULLY DESCRIBED AS PARCEL "A," "OFFICE OF THE FIRE MARSHAL – FIRE STATION NO. 5," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 146, PAGE 14 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; TOGETHER WITH THE SOUTH 50 FEET OF THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 49, SOUTH RANGE 42 EAST, LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID PARCEL "A," EAST OF THE EAST LINE OF SAID PARCEL "A" AND WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF NORTH FEDERAL HIGHWAY, LOCATED BETWEEN FEDERAL HIGHWAY AND LAKE OMELVA, ON THE SOUTH SIDE OF NORTHEAST 16TH STREET, ALSO KNOWN AS FIRE STATION NUMBER 29; AND GRANTING RELIEF FROM THE REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA.

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

Occupational Licenses – Changes to Florida Statutes

(O-02)

No budgetary impact

Vice Mayor Hutchinson introduced the ordinance on the second reading:

ORDINANCE NO. C-06-45

AN ORDINANCE AMENDING CHAPTER 5, ALCOHOLIC BEVERAGES; CHAPTER 8, BOATS, DOCKS, BEACHES AND WATERWAYS; CHAPTER 9, BUILDINGS AND CONSTRUCTION; CHAPTER 11, CODE ENFORCEMENT; CHAPTER 23, SOLICITORS, PEDDLERS, ETC.; CHAPTER 24, SOLID WASTE; CHAPTER 25, STREETS AND SIDEWALKS; CHAPTER 27, VEHICLES FOR HIRE; CHAPTER 28, WATER, WASTEWATER AND STORMWATER; CHAPTER 47, UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY

CHANGING THE PHRASE "OCCUPATIONAL LICENSE TAX" TO "LOCAL BUSINESS TAX" AND BY CHANGING THE PHRASE "OCCUPATIONAL LICENSE" TO "BUSINESS TAX RECEIPT" WHERE APPROPRIATE, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

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

Budget Advisory Board – Abolishment (O-03)

No budgetary impact

Vice Mayor Hutchinson introduced the ordinance on the first reading:

ORDINANCE NO. C-07-

AN ORDINANCE REPEALING ORDINANCE NO. C-96-62 WHICH ESTABLISHED THE BUDGET ADVISORY BOARD OF THE CITY OF FORT LAUDERDALE, FLORIDA, AS AMENDED BY ORDINANCE NO. C-02-44, THEREBY DISSOLVING THE BUDGET ADVISORY BOARD.

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

Beach Redevelopment Advisory Board - Membership Composition (O-04)

No budgetary impact

Vice Mayor Hutchinson said she is assuming that each Commissioner will have two appointments to this Board. The City Clerk confirmed.

Vice Mayor Hutchinson introduced the ordinance on the first reading:

ORDINANCE NO. C-07-01

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING ORDINANCE NO. C-88-56 CREATING THE BEACH REDEVELOPMENT BOARD AS AMENDED BY ORDINANCE NO. C-92-4, IN ORDER TO ADD THREE MEMBERS TO THE BOARD.

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

Special Assessments For Beach Improvements – Clarifying (O-05)

Definition – Government Property

No budgetary impact

Commissioner Moore returned to the dais at approximately 6:55 p.m.

Vice Mayor Hutchinson introduced the ordinance on the first reading:

ORDINANCE NO. C-07-02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING ORDINANCE 06-34 CREATING A BEACH IMPROVEMENT AREA AND AUTHORIZING THE CITY COMMISSION TO IMPOSE SPECIAL ASSESSMENTS FOR BEACH IMPROVEMENTS TO CLARIFY THE DEFINITION OF "GOVERNMENT PROPERTY" AND PROVIDING FOR AN EFFECTIVE DATE.

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

Advisory Board /Committee Appointments

(OB)

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

Beach Redevelopment Advisory Board	Anton J. Yaari
Code Enforcement Advisory Board	Patricia Rathburn
Community Appearance Advisory Board	Patrick McTigue
Fire Rescue Facilities Blue Ribbon Committee	Thornie Jarrett
Insurance Advisory Board	Roger G. Bond Joseph Cobo Joseph J. Piechura, Sr. Christopher Prestera Mark Schwartz
Parks, Recreation and Beach Advisory Board	JoAnn Medalie

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 07-03

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: Commissioner Moore, Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

CITIZEN PRESENTATION

Mike Moran

(CIT-02)

Results from 2006 Ocean Conservancy Beach Clean-Up Study.

Commissioner Moore left the dais at approximately 6:57 p.m.

Mike Moran said cigarette butt litter is a cumulative problem and according to the 2006 Ocean Conservancy Beach Clean-Up Study, the State of Florida ranks number one as the filthiest most cigarette butt littered beaches in the country. One year ago he approached this Commission about this issue and since then 14 other cities have made changes and as of today 54 cities have banned cigarette smoking on their beaches. Some cities have also changed their litter ordinances, listing cigarette butts as a violation. Nothing has been done so far in this city to address this problem. California not only has addressed this problem at the local level, but they are presently addressing the issue on a statewide basis. Delray Beach is taking action. He asked the Commission to do something.

Vice Mayor Hutchinson said there is a movement to get the City's beaches cleaner. She asked if the City's ordinances could be reviewed to see what could be done to address this issue. She asked if the issue could be discussed in 30-60 days.

Commissioner Rodstrom agreed with Vice Mayor Hutchinson and asked if staff could review the process used by California.

In response to Mayor Naugle, Mr. Moran noted that Delray Beach is considering a designated smoking section of the beach.

Mayor Naugle thought that with interest of two members of the Commission, it should be scheduled for a conference item and information from other municipalities could be obtained by the City Attorney. The City Attorney suggested perhaps the Parks Department could research this.

Mr. Moran did not feel there is much research to be done. He could provide the existing legislation on this. Police officers are not certain whether to consider a cigarette butt a littering violation. It is a gray area in terms of enforcement.

Commissioner Rodstrom suggested Mr. Moran offer the name of a mayor in California where a comparison could be made. She asked he furnish that information to the City Manager. Mayor Naugle preferred to look at a Florida city rather than California.

Mr. Moran mentioned another idea where citizens could report such littering and the violators would receive a letter based on license tag.

Mayor Naugle concluded that this would be a conference item. He asked the City Clerk to notify Mr. Moran when this item will be on the agenda.

RESOLUTION NO. 07-

(OB)

A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF FORT LAUDERDALE, FLORIDA, URGING
MEMBERS OF THE FLORIDA LEGISLATURE TO
SUPPORT THE FLORIDA LEAGUE OF CITIES 2007
LEGISLATIVE PRIORITIES

Commissioner Rodstrom asked if this could be deferred until the next meeting so further research and clarification of the matter could be done. The deadline is not until February 23rd.

Mayor Naugle indicated he would not object to a deferral as there is time.

Vice Mayor Hutchinson was not in support of deferring.

Commissioner Moore left the meeting at approximately 7:07 p.m.

Vice Mayor Hutchinson said that home-rule is a very important issue for municipalities. If the cities lose home-rule power, they will have nothing.

Mayor Naugle said the item would probably fail tonight with a 2-2 vote, therefore he suggested it be scheduled for the next meeting on January 17, 2007.

There being no other matters to come before the Commission, the meeting was adjourned at 7:09 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk

