

**FORT LAUDERDALE CITY COMMISSION REGULAR MEETING  
FEBRUARY 6, 2007**

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MINUTES OF A REGULAR MEETING

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**MINUTES OF A REGULAR MEETING  
CITY COMMISSION  
FORT LAUDERDALE, FLORIDA  
FEBRUARY 6, 2007**

Meeting was called to order at 6:02 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 6:19 p.m. as noted)  
Vice Mayor Cindi Hutchinson  
Mayor Jim Naugle

Absent: None

Also Present: City Manager                   George Gretsas  
City Auditor                           John Herbst  
Assistant City Clerk           Larry Fuller  
City Clerk                               Jonda K. Joseph  
City Attorney                       Harry A. Stewart  
Sergeant At Arms               Sergeant Jerry Fuller

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

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

**Motion** made by Vice Mayor Hutchinson and seconded by Commissioner Teel that the minutes of the December 22, 2006 Special Regular Meeting and the January 17, 2007 Conference and Regular Meetings and agenda be approved. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

**Transfer of Unused Speedtrap Grant Match Funds (M-28)**

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

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**772-9592 – Shade Structure For Aquatic Complex (PUR-05)**

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

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**Appeal – Planning and Zoning Board Decision – Site Plan - (R-02)**  
**Case 51-R-06 – Steel Condominiums – 3 Unit 4 Story – Side**  
**Yard Modifications**

Mayor Naugle said that this item has been withdrawn by the Applicant who is no longer pursuing the project.

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**Appeal – Planning and Zoning Board Decision – Site Plan - (R-03)**  
**Case 59-R-06 – V & L Associates – 3465 Galt Ocean Drive –**  
**Parking Reduction**

Mayor Naugle said that this item should be listed as a call-up by Vice Mayor Hutchinson.

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**Trial Residential Parking Permit Program – Colee Hammock (O-01)**

In regard to O-01, Vice Mayor Hutchinson said there are still some unanswered questions. She is not comfortable with the matter and asked if it could be postponed until the first meeting in March which would still allow the neighborhood to meet the April deadline.

**Motion** made by Vice Mayor Hutchinson and seconded by Commissioner Teel to table Item O-1 to the March 6, 2007 Regular Commission Meeting at 6:00 p.m. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

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**Reconsideration – Revocable License – Temporary (MD-31)**  
**Closures – Trump International Hotel and Towers**

Mayor Naugle said that this item was withdrawn by the Applicant.

**Presentations**

1. **Acceptance of \$12,570 From Former City Commissioners (PRES-01)**  
**Dean J. Trantalis – Beautification of Sebastian Street Area**

Commissioner Rodstrom accepted a check in the amount of \$12,570 from former City Commissioner Dean J. Trantalis, the balance from a fund raising event that collected over \$50,000 for beautification of the Sebastian Street area. Mr. Trantalis asked this money be used to continue the beautification effort.

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2. **Made in the Shade Official Cookbook for the City (PRES-02)**  
**of Fort Lauderdale – Junior League of Greater**  
**Fort Lauderdale**

Commissioner Teel and the City Commission issued a proclamation declaring “Made in the Shade” the City’s official cookbook to support the Junior League.

Becky Irwin, President, Junior League of Greater Fort Lauderdale, thanked the City for the proclamation and said that they support various projects with the money received from the sale of these cookbooks. She announced how people could purchase the cookbook.

**3. Community Appearance Board – WOW Awards – Districts III and IV (PRES-03)**

Vice Mayor Hutchinson presented the WOW Award to Terry Simonson and Calvert Sutherland who reside at 1061 SW 30 Street in Edgewood, District IV.

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

Commissioner Moore presented the WOW Award to Resa Jones who resides at 1804 NW 8 Street in Durrs, District III.

**4. Recycling Incentive Grant Awards – Fiscal Year 2005-2006 (PRES-04)**

Commissioner Teel and the City Commission recognized the recycling incentive grant award recipients for fiscal year 2005-2006. Fifteen homeowner associations received awards totaling \$20,436.

Vice Mayor Hutchinson left the dais at approximately 6:20 p.m. and returned at approximately 6:21 p.m.

Sunset	\$ 153.00
Rock Island	\$ 183.00
Middle River Terrace	\$ 305.00

Commissioner Moore left the dais at approximately 6:22 p.m. and returned at approximately 6:23 p.m.

Coral Ridge	\$ 610.00
Victoria Park	\$ 854.00
River Oaks	\$ 976.00
Coral Ridge Isles	\$1,007.00
Rio Vista	\$1,037.00
Poinsettia Heights	\$1,159.00
Croissant Park	\$1,525.00
Colee Hammock	\$1,525.00
Lauderdale Manors	\$1,586.00
South Middle River	\$1,769.00
The Landings	\$2,318.00
Harbordale	\$5,429.00

**5. Outstanding Employees**

Albert Carbon, Director of Public Works, honored Keith Mitchell with the STAR Award for January, 2007. Mr. Mitchell is a Utilities Service Worker IV on the midnight shift. He assisted an elderly couple in stopping a water leak and rescuing the elderly man from outdoors.

James Eddy, Chief of Fire-Rescue, honored Lifeguards Dennis Koelle and Gio Seriano who assisted an individual caught in a rip current.

Bruce Roberts, Chief of Police, honored as Officer of the month for February, Mario Nembhart for his work in making a traffic stop, searching a vehicle and seizing illegal drugs and cash and seizing illegal drugs and cash from a residence.

Commissioner Moore left the dais at approximately 6:32 p.m.

**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 – Riverwalk Run  
Closing Roads Along the Route****(M-01)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Junior League of Greater Fort Lauderdale, Inc. for Riverwalk Run, to be held Saturday, March 24, 2007, 7AM – 10 AM at Huizenga Plaza and on area streets; and authorizing closing of City streets along the route.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0185

**Event Agreement – Race For What Matters  
5K Run/Walk****(M-02)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with United Way of Broward County, Inc. for Race For What Matters 5K Run/Walk, to be held at South Beach and along State Road A-1-A on Saturday, February 10, 2007, 6 AM – 12 Noon.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0215

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**Event Agreement – Jerome E. Gray Drug Awareness Parade (M03)**  
**Closing City Streets Along the Route**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Mt. Olive S.D.A. Church for Jerome E. Gray Drug Awareness Parade, to be held Saturday, February 17, 2007, 3 PM – 6 PM at Lincoln Park and area streets; and authorizing the closing of the City streets along the route.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0221

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**Event Agreement – 5K For A Better Day (M-04)**  
**Closing City Streets Along the Route**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Greater Fort Lauderdale Road Runners Club, Inc. for 5K For A Better Day, to be held Saturday, February 17, 2007, 7:30 AM – 10 AM at Broward General Medical Center; and authorizing closing of City streets along the route.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0211

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**Event Agreement and City Co-Sponsorship - (M-05)**  
**Designer's Show House**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with American National Red Cross, Broward County Chapter for Designer's Show House, to be held at 833 Idlewyld Drive Wednesday, February 28, 2007, 6 PM – 11 PM, and Thursday, March 1 through Monday, March 19, 2007, 10 AM – 4 PM; and authorizing City co-sponsorship.



**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0201

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**Event Agreement – Mission Fest** (M-06)  
**Closing Tarpon Terrace**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with First Presbyterian Church of Fort Lauderdale, Florida, Inc. for Mission Fest, to be held at the Church on Sunday, February 11, 2007, 8 AM – 1 PM; and authorizing closing of Tarpon Drive from Tarpon Terrace to Brickell Avenue, contingent upon receiving signed agreement.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0186

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**Event Agreement – Unity in the Community Family Day** (M-07)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Muhammad Mosque #82, Inc. for Unity in the Community Family Day, to be held Saturday, February 17, 2007, 2 PM – 5 PM at Joseph C. Carter Park, contingent upon receiving signed agreement.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0213

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**Grant Application – EMS Matching Grant -** (M-08)  
**Autopulse Devices**

**No current year budgetary impact. Cash match funds will be requested in FY 2007-2008.**

A motion authorizing the proper City Officials to apply for grant funds in the amount of \$149,029 from Florida Department of Health, Bureau of Emergency Medical Services and cash match of \$49,676 – 2007 EMS Matching Grant Program.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0178

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**Change Order 3 – Man-Con, Incorporated - \$233,274.04** (M-09)

**Dixie Wellfield Improvements**

**Transfer \$261,266.92 from the Water and Sewer Revenue Bonds to P10824.482, sub-object 6599.**

A motion authorizing: (1) Change Order 3 with Man-Con, Incorporated, in the amount of \$233,274.04 – additional work and quantity decreases – Dixie Wellfield Improvements – Project 10824, and (2) transfer of \$261,266.92 from the Water and Sewer Revenue Bonds to P10824.482 to fund the change order and estimated engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0183

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**Change Order 2 – Globetec Construction, LLC – Credit (M-10)**  
**(\$6,146.10) Sewer and Water Main Improvements –**  
**Riverside Park Basin B**

**\$6,883.63 to be credited to P10578.482, sub-object 6599.**

A motion authorizing Change Order 2 with Globetec Construction, LLC, in the CREDIT amount of (\$6,146.10) for quantity adjustments and additional work – Sewer and Water Main Improvements Riverside Park Basin B – Project 10578B.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0170

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**Change Order 2 – Intercounty Engineering, Inc. - (M-11)**  
**\$26,194.14 & Add 37 Days – Group I Pump**  
**Station Rehabilitation**

**\$26,194.14 from WaterWorks SRF Construction Loan 3 Fund to P10488.489 &**  
**\$3,143.30 from Water and Sewer Revenue Bonds to Project 10488.482, sub-object**  
**6599.**

A motion authorizing: (1) Change Order 2 with Intercounty Engineering, Inc., in the amount of \$26,194.14 – additional work and the addition of 37 non-compensable calendar days to contract period – Group I Pump Station Rehabilitation, Pump Station A-11, B-8, D-39, D-47 & E-5 – Project 10488, and (2) transfer of \$26,194.14 from WaterWorks SRF Construction Loan 3 Fund to P10488.489 and \$3,143.30 from Water and Sewer Revenue Bonds to P10488.482 to fund change order and estimated engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0171

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**Change Order 1 – Globetec Construction, LLC - \$154,525.51 (M-12)**  
**Sewer and Water Main Improvements – Riverside Park Basin D**

**Transfer \$173,068.57 from the Water and Sewer Revenue Bonds to P10578.482, sub-object 6599.**

A motion authorizing: (1) Change Order 1 with Globetec Construction, LLC, in the amount of \$154,525.51 – additional work and quantity adjustments – Sanitary Sewer and Water Main Improvements Riverside Park Basin D – Project 10578D, and (2) transfer \$173,068.57 from Water and Sewer Revenue Bonds to P10578.482 for cost of change order and estimated engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0179

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**Change Order 3 – Man-Con, Incorporated - \$154,164.34 (M-13)**  
**Sewer and Water Main Improvements – River Oaks Basin F**

**\$137,572.22 from Water and Sewer Revenue Bonds to P10705.482 and \$35,091.84 from P00382, New Stormwater Mgmt Facilities to P10705.470, 6599.**

A motion authorizing: (1) Change Order 3 with Man-Con, Incorporated, in the amount of \$154,164.34 – additional work and quantity adjustments – Sewer and Water Main Improvements River Oaks Basin F – Project P10705F, and (2) transfer \$137,572.22 from Water and Sewer Revenue Bonds to P10705.482 and \$35,091.84 from P00382, New Stormwater Management Facilities to P10705.470 for cost of change order and estimated engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0180

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**Change Order 1 – Decon Environmental & Engineering, Inc. - \$9,269 (M-14)**  
**Swimming Hall of Fame – Mold Remediation**

**\$9,269 is available in P16048.125, sub-object 6599.**

A motion authorizing the proper City Officials to execute Change Order 1 with Decon Environmental & Engineering, Inc., in the amount of \$9,269 – mold remediation at the Swimming Hall of Fame – Project 16048.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0207

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**Change Order 6 – Catalfumo Construction LLC d/b/a Seawood Builders – Riverland Park Development - \$17,275.12 (M-15)**

**\$17,275.12 is available in P15240.331, sub-object 6599.**

A motion authorizing Change Order 6 with Catalfumo Construction LLC, d/b/a Seawood Builders in the amount of \$17,275.12 – additional work for Riverland Park – Project 15245.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0217

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**Amendment 1 – Work Authorization 16724.D1 – Keith and Schnars, (M-16)  
P.A. – Harbor Beach Water & Sewer Rehabilitation Inspection  
Services - \$44,500**

**Transfer \$49,840 from Water and Sewer Revenue Bonds to Project 10671.482 sub-object 6599.**

A motion authorizing the proper City Officials to execute Amendment 1 to Work Authorization 16724.D1 with Keith and Schnars, P.A., in the amount of \$44,500 – additional utility construction inspection services – Harbor Beach Rehabilitation – Project 10671.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0095

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**Miscellaneous Landscape Architectural Services (M-17)  
Keith and Schnars, P.A. – Continuing Contracts**

**No budgetary impact.**

A motion authorizing the proper City Officials to execute agreement with Keith and Schnars, P.A. – Continuing Contracts for Miscellaneous Landscape Architectural Services – term of two years with the option to renew for three one-year periods.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0195

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**Contract Award – Youngquist Brothers, Inc. - \$3,373,344 (M-18)  
Floridan Aquifer Test Wells – Dixie Wellfield**

**Transfer \$3,778,145 from Water and Sewer Revenue Bonds to Project 11137.482 sub-object code 6599.**

A motion authorizing the proper City Officials to: (1) award and execute a contract with Youngquist Brothers, Inc., in the amount of \$3,373,344 – construction of Floridan Aquifer

Test Wells – Project 11137, and (2) transfer \$3,778,145 from Water and Sewer Revenue Bonds to Project 11137.482 for contract cost and estimated engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0196

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**Contract Award – Mako Builders, LLC - \$32,495 (M-19)**  
**Fire Station 35 Kitchen Remodel**

**\$34,000 is budgeted in P10589.331, sub-object 6599 and transfer \$2,231.93 from P10587.328, 6599 to P10589.328, sub-object 6599.**

A motion authorizing the proper City Officials to award and execute a contract with Mako Builders, LLC, in the amount of \$32,495 – Fire Station 35 Kitchen Remodel – Project 10589A.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0224

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**Task Order – Keith and Schnars, P.A. - \$179,030 (M-20)**  
**Construction Administration Services – Riverwalk**  
**South Regional Park**

**\$179,030 is budgeted in P10754.331 sub-object 6599.**

A motion authorizing the proper City Officials to execute a task order with Keith and Schnars, P.A. in the amount of \$179,030 – construction administration services – Riverwalk South Regional Park – Project 10754.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0226

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**Task Order 30 – CMTS Florida, LLC - \$442,089.03 (M-21)**  
**Utility Construction Inspection Services – Melrose**  
**Manors Basin B**

**\$495,139.70 needs to be transferred from Water and Sewer Revenue Bonds to Project 10710.482 sub-object 6599.**

A motion authorizing the proper City Officials to: (1) execute Task Order 30 with CMTS Florida, LLC, in the amount of \$442,089.03 – utility construction inspection services – Area 2 West – Melrose Manors Basin B – Project 10710B, and (2) transfer \$495,139.70 from Water and Sewer Revenue Bonds to Project 10710.482 sub-object 6599, to fund task order and estimated engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0154

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**American Water Works Association Research Foundation Subscription (M-22)**

**\$37,997 is budgeted in PBS 010101-4113.**

A motion authorizing one-year subscription to American Water Works Association Research Foundation in the amount of \$37,997.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0135

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**Florida Department of Environmental Protection Grant Agreement – Edgewood – River Oaks Drainage (M-23)**

**\$500,000 is budgeted in P00382, New Stormwater Management Facilities, 6599. This project will hold the \$500,000 grant match until the grant is approved.**

A motion authorizing acceptance of a grant in the amount of \$500,000 from Florida Department of Environmental Protection and authorizing the proper City Officials to execute all necessary documents to receive and disburse these grant funds – drainage infrastructure improvements – Edgewood (P10580)/River Oaks (P10705) neighborhoods and approving \$500,000 cash match required under this grant agreement.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0035

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**Florida East Coast Railroad – Annual Utility Maintenance - \$13,935.78 (M-24)**

**\$13,975.78 is budgeted in P08889 (FEC Crossing Control – Annual Maintenance), sub-object 6599.**

A motion authorizing payment of \$13,935.78 to Florida East Coast Railroad for annual utility maintenance.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 06-1704

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**Funds Transfer – Executive Airport – Runway 13-31 - Pavement Rehabilitation – Blast Pads (M-25)**

**\$138,000 from P10638.468, 6599 and transfer \$12,000 from P10555.468, 6599 to P10632.468, sub-object 6599.**

A motion authorizing transfer of \$138,000 from P10638.468, Eastside Improvements Study, and \$12,000 from P10555.468, Helistop Infrastructure Recap to P10632.468.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0205

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**Grant Application Operation Last Call - \$35,036**

**(M-26)**

**No current year budgetary impact. Cash match funds will be requested in FY 2007-2008.**

A motion authorizing the proper City Officials to apply for grant funds in the amount of \$35,036 from Florida Department of Law Enforcement – U.S. Department of Justice Edward Byrne Memorial/Justice Assistance Grant Program – Fiscal Year 2008 – Operation Last Call.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0162

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**Grant Application – Project Speedtrap - \$64,580**

**(M-27)**

**No current year budgetary impact. Cash match funds will be requested in FY 2007-2008.**

A motion authorizing the proper City Officials to apply for grant funds in the amount of \$64,580 from Florida Department of Law Enforcement – U.S. Department of Justice Edward Byrne Memorial/Justice Assistance Grant Program – Fiscal Year 2008 – Operation Speedtrap.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0163

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**Transfer of Unused Speedtrap Grant Match Funds**

**(M-28)**

**Transfer \$5,967.65 from GSPEED06, sub-object Q001 (General Fund) to GSPEED07, sub-object Q001. OMB approved.**

A motion authorizing transfer of \$5,967.65 in unused Speedtrap Grant match funds from Fiscal Year 2006 to Fiscal Year 2007.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0167

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**Task Force for Ending Homelessness (M-29)**  
**Transfer from Law Enforcement Trust Fund - \$2,500**

**\$2,500 from LEPF's undesignated/unbudgeted fund balance and transfer funds to Police State Confiscation – POL050201; sub-object.**

A motion authorizing transfer of \$2,500 from Law Enforcement Trust Fund to Task Force for Ending Homelessness.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0203

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**Grant Application – Fiscal Year 2007-2008 - \$120,000 (M-30)**  
**Emergency Management Preparedness & Assistance Competitive Grant**

**A cash match of \$24,000 is available in FD001/9129 (Misc. grants).**

A motion authorizing the proper City Officials to apply for grant funds in the amount of \$120,000 with a 25% cash match of \$24,000 – Emergency Management Preparedness and Assistance Competitive Grant Program – emergency preparedness and response for people with special needs.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 07-0225

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**CONSENT RESOLUTION**

**Executive Airport – Minimum Annual Lease Rates (CR-01)**  
**And Brokerage Commission Policy**

**No current year budgetary impact. New rate only applies to future leases. None anticipated in current year.**

A resolution setting a public hearing for March 6, 2007 to establish minimum annual lease rates and adopt a real estate brokerage commission policy – Executive Airport.

RESOLUTION NO. 07-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CALLING A PUBLIC HEARING ON MARCH 6, 2007, AT 6:00 O'CLOCK P.M., FOR THE PURPOSES OF



ESTABLISHING MINIMUM ANNUAL LEASE RATES AND ADOPTING A BROKERAGE COMMISSION POLICY FOR PROPERTY AVAILABLE FOR LEASE AT FORT LAUDERDALE EXECUTIVE AIRPORT.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 06-1748

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**Special Magistrate Appointments** (CR-02)

**Funds will come from BLD020101-3119.**

A resolution reappointing Judge Floyd V. Hull and Meah Rothman Tell, Esquire, as the City’s Special Magistrates and setting a compensation rate of \$375 per hearing day.

RESOLUTION NO. 07-21

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

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 07-0181

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**PURCHASING AGENDA**

**Vehicle Purchases** (PUR-01)

**Various – see attached exhibits.**

Purchase of replacement vehicles and vehicle additions to fleet approved in Fiscal Year 2006-2007 budget.

**Recommend:** Motion to approve.

**Vendor:** See attached exhibit

**Amount:** \$389,550.37

**Bids Solicited/Rec’d:** N/A

**Exhibit:** Commission Agenda Report 07-0096

The Procurement Services Department has reviewed this item and recommends approval from the Florida Sheriff’s Association Contract.

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**572-9694 – Parking Permits** (PUR-02)

**\$20,000 is budgeted in PAR020101, sub-object 3999 (Other Supplies).**

A one-year contract for the purchase of parking permits is being presented for approval by the Parking and Fleet Services Department.

**Recommend:** Motion to approve.

**Vendor:** Dri-Stick Decal Corp. dba/Rydin Decal  
Streamwood, IL

**Amount:** \$25,766.00 (estimated)

**Bids Solicited/Rec'd:** 352/1

**Exhibit:** Commission Agenda Report 07-0165

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

**572-9623 – Turf Maintenance Material Handler (PUR-03)****\$25,500 is budgeted in PAR030101-6416.**

Approval to purchase a replacement turf maintenance material handler for the Parks and Recreation Department is being presented for approval by the Parking and Fleet Services Department.

**Recommend:** Motion to approve.

**Vendor:** Tesco South Incorporated dba/Hector Turf  
Deerfield Beach, FL

**Amount:** \$25,500.00

**Bids Solicited/Rec'd:** 207/2

**Exhibit:** Commission Agenda Report 07-0148

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

**472-9658 – Emergency Board-Up Services (PUR-04)****\$40,000 is budgeted in BLD020101-3226 (Boardups)**

One-year contract for emergency board-up services is being presented for approval by the Building Department.

**Recommend:** Motion to approve.

**Vendor:** A Quick Board Up Service, Inc.  
Hallandale, FL

**Amount:** Per unit prices

**Bids Solicited/Rec'd:** 167/3

**Exhibit:** Commission Agenda Report 07-0132

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

**772-9592 – Shade Structure For Aquatic Complex**

**(PUR-05)**

**\$49,785 is a Hurricane Katrina related expenditure. FEMA/State/City shared reimbursement is expected. Funds are available in Index Code KATRINA-Sub-object.**

Approval to purchase a removable/collapsible shade structure is being presented for approval by the Business Enterprises Department.

**Recommend:** Motion to approve.

**Vendor:** Superior Park Systems, Inc.  
Hollywood, FL

**Amount:** \$49,785.00

**Bids Solicited/Rec'd:** 86/3

**Exhibit:** Commission Agenda Report 07-0169

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

**774-9605 – Parking System For Fort Lauderdale Aquatic Complex**

**(PUR-06)**

**\$175,000 is budgeted in P11150.340 (\$92,968.00) and P11150.331 (\$82,032.00) – 6599.**

Approval to purchase an ADA compliant automated revenue parking system for the Aquatic Complex is being presented for approval by the Business Enterprises Department.

**Recommend:** Motion to approve.

**Vendor:** Bytewise Solutions, Inc.  
Hialeah, FL

**Amount:** \$170,784.00

**Bids Solicited/Rec'd:** 1016/4

**Exhibit:** Commission Agenda Report 07-0145

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

**Proprietary – Annual Radio Purchases Fiscal Year 2006-2007**

**(PUR-07)**

**\$40,115 is budgeted in PBS010601, sub-object 6499 (Other Equipment).**

Annual radio purchase plan for fiscal year 2006-2007 is being presented for approval by the Information Technology Department.

**Recommend:** Motion to approve.

**Vendor:** Motorola, Inc.  
Schaumburg, IL

**Amount:** \$40,115.00 (estimated)

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 07-0199

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

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**Proprietary – Two-Valve Operator Upgrades (PUR-08)**

**\$7,995 is encumbered in PBS050301-3407 and \$7,995 is budgeted in PBS660404-3437.**

Approval to purchase two E.H. Wachs Company brand valve operator upgrades is being presented by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** The E.H. Wachs Company  
Wheeling, IL

**Amount:** \$15,590.00 (estimated)

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 07-0113

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

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**Proprietary – Decorative Streetlight Poles, Fixtures and Parts (PUR-09)**

**\$31,400 is available in PBS030408, sub-object 3404 (Components/Parts).**

Approval to purchase decorative streetlight poles, fixtures and associated parts is being presented by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Municipal Lighting Systems, Inc.  
Miami, FL

**Amount:** \$31,400.00  
**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 07-0134

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

**472-9666 – Two Air Conditioning Package Units (PUR-10)**  
**Joseph C. Carter Park Gymnasium**

**\$40,860 is available in PBS030102, sub-object 6499.**

Approval to purchase and install two air conditioning package units for the Joseph C. Carter Park Gymnasium is being presented by the Public Works Department.

**Recommend:** Motion to approve.  
**Vendor:** Wind Chill Mechanical Corp.  
 Miramar, FL  
**Amount:** \$40,480.00  
**Bids Solicited/Rec'd:** 114/5  
**Exhibit:** Commission Agenda Report 07-0143

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

**673-9702 – Suspended Hardwood Flooring System (PUR-11)**  
**Joseph C. Carter Park Gymnasium**

**\$57,850 is available in P16026.125 – 6599.**

Approval to purchase and install a suspended hardwood flooring system at Joseph C. Carter Park Gymnasium is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.  
**Vendor:** SportWorks, Inc.  
 Cooper City, FL  
**Amount:** \$57,850.00  
**Bids Solicited/Rec'd:** 346/5  
**Exhibit:** Commission Agenda Report 07-0147

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

**Proprietary – Criminal History Record Checks (PUR-12)**

**\$30,000 is budgeted in PKR032901, sub-object 3199 (Other Professional Services).**

One-year purchase to provide criminal history record checks for City youth sports programs and City sponsored sports is being presented for approval by the Parks and Recreation Department.

**Recommend:** Motion to approve.

**Vendor:** Florida Department of Law Enforcement  
Tallahassee, FL

**Amount:** \$30,000.00 (estimated)

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 07-0159

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

**4907-1/06 – ADA Playground For Sebastian Street (PUR-13)****Funds of \$27,986.45 available in P10993.331-6599, ADA Non-Decree Compliance Improvements, Construction – General Fund.**

Purchase of ADA playground equipment for Sebastian Street is being presented for approval by the Parks and Recreation Department.

**Recommend:** Motion to approve.

**Vendor:** Playmaker Services, LLC  
Delray Beach, FL

**Amount:** \$27,986.45

**Bids Solicited/Rec'd:** 62/19

**Exhibit:** Commission Agenda Report 07-0172

The Procurement Services Department has reviewed this item and recommends approval from the Miami-Dade County Contract.

**Police Training 2006-2007 (PUR-14)****\$161,300 is available in POL020211 (Training), Subobject 4116 (Schools).**

Police recruit training and mandatory retraining classes are being presented for approval by the Police Department.

**Recommend:** Motion to approve.

**Vendor:** Broward Community College Foundation, Inc.  
Fort Lauderdale, FL

**Amount:** \$161,300.00 (estimated)

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 07-0176

The Procurement Services Department has reviewed this item and recommends awarding purchase order to local institute.

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**Proprietary – Tasers, Air Cartridges and Holsters**

**(PUR-15)**

**Funding provided by FY2005 Local Law Enforcement Block Grant and expenses charged to GLLEBG07, subobject 6499 (other equipment).**

Request to purchase 94, X26 advanced tasers, air cartridges and holsters to immediately incapacitate dangerous, combative or high-risk individuals who pose a risk to citizens and law enforcement officers, is being presented for approval by the Police Department.

**Recommend:** Motion to approve.

**Vendor:** DGG Taser, Inc.  
Jacksonville, FL 32244

**Amount:** \$109,989.15

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 07-0197

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

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**State – Replacement Engines For Marine Unit Vessels**

**(PUR-16)**

**\$68,000 is available this current fiscal year in Index Code POL030409, subobject 6499 (Marine Unit – Other Equipment).**

Approval to purchase six 225HP Evinrude engines to replace old and non-functional engines for Marine Unit marked patrol vessels, is being presented for approval by the Police Department.

**Recommend:** Motion to approve.

**Vendor:** BRP US Inc.  
Sturtevant, WI

**Amount:** \$68,000.00

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 07-0194

The Procurement Services Department recommends approving the purchase from the State of Florida Contract.

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

**Motion** made by Vice Mayor Hutchinson and seconded by Commissioner Teel that Consent Agenda Items M-09, M-12, M-13, M-15, CR-02, PUR-01 and PUR-16 be deleted from the Consent Agenda and considered separately and that all remaining consent agenda items be approved as recommended.

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

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**Change Order 3 – Man-Con, Incorporated - \$233,274.04 (M-09)**  
**Dixie Wellfield Improvements**

Commissioner Rodstrom said that she has a conflict of interest.

**Motion** made by Vice Mayor Hutchinson and seconded by Commissioner Teel to approve this item as presented. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioner Teel and Mayor Naugle. NAYS: None. Commissioner Rodstrom abstained from voting. A memorandum of voting conflict filed by Commissioner Rodstrom is attached to these minutes.

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**Change Order 1 – Globetec Construction, LLC - \$154,525.51 (M-12)**  
**Sewer and Water Main Improvements – Riverside Park Basin D**

Commissioner Rodstrom asked if a percentage of this change order conform with industry standards.

Commissioner Teel left the dais at approximately 6:36 p.m. and returned at approximately 6:37 p.m.

Paul Bohlander, Assistant Utilities Services Director, said the change order puts the percentages for this project in excess of industry standards.

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

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**Change Order 3 – Man-Con, Incorporated - \$154,164.34 (M-13)**  
**Sewer and Water Main Improvements – River Oaks Basin F**

Commissioner Rodstrom asked if this change order exceeds industry standards. Paul Bohlander, Assistant Utilities Services Director, replied yes.

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

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**Change Order 6 – Catalfumo Construction LLC d/b/a Seawood Builders (M-15)**



**Riverland Park Development - \$17,275.12**

Commissioner Rodstrom asked if this change order exceeds industry standards. Albert Carbon, Public Works Director, said this change order is not in excess of industry standards. The scope of work was significantly increased.

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

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**Special Magistrate Appointments****(CR-02)**

Vice Mayor Hutchinson wanted the ability to vote separately on this item.

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

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**Vehicle Purchases****(PUR-01)**

Vice Mayor Hutchinson requested the replacement schedule for the City's fleet.

**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: Commissioner Rodstrom.

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**State – Replacement Engines for Marine Unit Vessels****(PUR-16)**

In response to Vice Mayor Hutchinson, Sergeant Andy Pallen said these are two stroke engines. He explained a four stroke would require the City to switch to a different manufacturer; an additional cost of \$4,000 per vehicle for changing the rigging and electronics. Four stroke engines have a one year warranty whereas the two stroke engines have two years.

Commissioner Rodstrom asked about using the Law Enforcement Trust Fund. Chief Roberts indicated a regularly funded item cannot be funded from the Trust Fund. Monies were budgeted for this purchase.

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

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**472-9658 – Emergency Board-Up Services****(PUR-04)**

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

Commissioner Moore was concerned that many of the board-ups being done are allowing buildings to continue standing and become a nuisance to other properties. Taxpayer money is used to secure buildings and allow them to continue abandoned for years. There is neglect by the property owner.

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

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<b>RESOLUTIONS</b>
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**Amendment to Site Plan – The Exchange – Case 157-R-04**

**(R-01)**

**No budgetary impact.**

**Applicant:** Exchange Tarragon, LLC  
**Location:** 115 NE 3<sup>rd</sup> Avenue  
**Zoning:** Downtown Regional Activity Center – City Center District (RAC-CC)

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 07-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AMENDMENT TO AN APPROVED DEVELOPMENT PLAN FOR A RESIDENTIAL DEVELOPMENT INCLUDING THE ALLOCATION OF POST 2003 DWELLING UNITS LOCATED AT N.E. 3<sup>RD</sup> AVENUE AND N.E. 2<sup>ND</sup> STREET, FORT LAUDERDALE, FLORIDA IN THE RAC-CC ZONING DISTRICT.

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

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**Appeal – Planning & Zoning Board Decision – Site Plan - Case 51-R-06 – Steel Condominiums – 3-Unit, 4-Story – Side Yard Modification**

**(R-02)**

This item was withdrawn by the Applicant.

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**Planning & Zoning Board Decision – Site Plan - Case 59-R-06 – V & L Associates – 3465 Galt Ocean Drive Parking Reduction**

**(R-03)**

**Zoning:** CB (Community Business)

**Applicant: V&L Associates**  
**Location: 3465 Galt Ocean Drive**

**No budgetary impact.**

Commissioner Teel said there has been some additional information coming to light. She asked for an update from the Director of Planning and Zoning.

**ALL INDIVIDUALS SPEAKING ON THIS MATTER WERE SWORN IN.**

Marc LaFerrier, Director of Planning and Zoning, said this item was heard by the Planning and Zoning Board on November 15, 2006 and approved by a 5-4 vote. A de novo hearing was set on December 12, 2006. The parking reduction analysis was done in March, 2006. More recent information indicates additional vacancies on the shopping center site. As such the analysis was revised and submitted to staff yesterday. He requested a two week deferral in order to review the revised analysis.

Commissioner Rodstrom was not in favor of parking reductions in general because there is limited parking throughout the city.

**Motion** made by Commissioner Teel and seconded by Vice Mayor Hutchinson to defer this item until February 20, 2007 at 6 p.m.

Commissioner Teel apologized to people who attended this evening to hear this item. She felt it is important to have all of the information available before a decision is made. Mayor Naugle said it is unfortunate that information was submitted at the last minute, but apparently the information makes their case stronger. With all of the individuals present, he preferred to discuss it now.

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

**CITIZEN PRESENTATIONS**

**Robert A. Walsh – Citizens Police Review Board -  
Policies and Procedures**

**(CIT-01)**

Robert A. Walsh said he came before the Commission in November, 2006 regarding the Citizens Police Review Board matter, but he has not heard anything since that time. He had discussed the matter with Mayor Naugle who indicated that he did not believe the allegations. He tried to contact Commissioner Rodstrom several times. Commissioner Rodstrom had contacted Internal Affairs. There was an Internal Affairs investigation. He questioned why he is not getting another hearing before the Citizens Police Review Board. He was concerned that no one on the Commission contacted him. In 2002 he had a stun gun used on him and tonight the Commission is being requested to approve tasers. He opposed use of tasers until the study is completed. People are being injured and dieing.

Commissioner Moore explained that Mr. Walsh's comments was part of the reason he requested changes in the hearing notification process. There will be discussion this evening on tasers. Mr. Walsh wanted to defer approval of tasers until the study is completed.

Mayor Naugle clarified that in their conversation he said he believed the police officers and not Mr. Walsh, but he did not call him a liar. Mr. Walsh disagreed.

Mayor Naugle said that a decision was made on the item that was investigated. It is not something that is revisited. It was unfortunate that Mr. Walsh did not receive notice of the meeting. To remedy that for the future, a different process is being initiated. He apologized to Mr. Walsh if he did not receive notice.

Mr. Walsh said he did not get due process. He has petitioned the FBI to do a citizen's civil rights inquiry.

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<b>PUBLIC HEARINGS</b>
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**Historic Designation – Sea Club Resort – Jolly Roger Hotel  
619 North Fort Lauderdale Beach Boulevard – Case 26-H-05**

**(PH-01)**

**Owner: Shimon Levy  
Applicant: Broward Trust for Historic Designation  
Zoning: ABA (A-1-A Beachfront Area)**

**No budgetary impact.**

**Motion** made by Vice Mayor Hutchinson and seconded by Commissioner Moore to defer this item until May 15, 2007 at 6 p.m. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel, Rodstrom and Moore, and Mayor Naugle. NAYS: None.

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**Historic Designation – 1610 NE 2 Court – Case 2-H-06**

**(PH-02)**

**Owner: John Kirchner  
Applicant: City of Fort Lauderdale  
Zoning: RC-15 (Residential Single Family Cluster Dwellings/Medium Density)**

**No budgetary impact.**

**ANYONE WISHING TO SPEAK ON THIS MATTER WAS SWORN IN.**

Patricia Rathburn, representing the property owner, said Mr. Kirchner was not aware that this property was being considered for historic designation at the time he purchased it. He would like to continue using the property for rental purposes. He is objecting to the historic designation because it would limit his ability to make modifications in the future and restrictions could cause problems with financing. As a past member of the Historic

Preservation Board and past president of the Historical Society, she indicated it is her natural inclination to support designation, but in this case she believes that while this is a nice old Spanish style building, it does not meet the criteria for historic designation.

Commissioner Moore left the dais at approximately 6:58 p.m. and returned at approximately 6:59 p.m.

Ms. Rathburn felt it is unfair to impose the burden of historic designation on a property owner who opposes such designation because of the effect on the value of the property and the owner's ability to make changes or modifications. The City does not offer any compensation to property owners for the loss of value and use restrictions. It is important not to dilute the process. There are buildings in the city that deserve and need such designation. To just designate a nice old building dilutes the process. Staff's report two and one-half paragraphs; it is very generic; it speaks about surrounding areas; it is somewhat inconsistent. It says the building is circa 1928 because it appeared in the 1928 Sanborn Fire Insurance Map, but the narrative states the date of construction is some time between 1928 and before 1937. There is no official indication anywhere that the building was constructed before 1928. In the memo supporting the designation the consultant indicates that she believes the building may have been built before the 1926 hurricane. It says the building was built in 1928; the hurricane was in 1926; there is a two-year gap. Therefore, no one really knows when the building was built. The memo further states it is a good example of Spanish eclectic architecture, but it actually is a mixture of Spanish eclectic, Spanish Mediterranean and Spanish colonial. Although all of the criteria is not needed, some are needed in order to be considered unique and to meet the criteria. The building has been modified over the years. There was a fire and the interior was redone. The exterior has been significantly altered, the windows were changed.

Leo Hansen, representing the property owner, said the eclectic mediterranean style was prominent from the 1920's to just before the war. He referred to the Coca-Cola building and the fire station across the way by architect Courtney Stewart, which are important due to their public visibility, individuality and innovativeness that the subject building does not possess. Architecture needs to be more than just perfunctory. In order to be considered worthy of historic designation, it has to do more than solve the problem. One important consideration about the subject building that makes it a burden to the owner is that the building is made out of clay tile. It cannot be made hurricane proof. The only thing that could be done, which is very impractical and costly, is to remove the interior and create a new structure on the interior. Imposing such a restriction would be a hardship to the property owner.

Ms. Rathburn said that some of the criteria: that a famous person lived in the structure, a famous person designed it, and that the structure could be studied by architectural students. None of those criteria apply. This is an isolated building surrounded by rental properties. It is a charming building, but does not deserve historic designation.

Mayor Naugle said the Historic Preservation Board voted in favor of the designation 5-1, and the City's historical consultant said the structure is worthy of designation.

Greg Brewton, Planning and Zoning, confirmed that the Historic Preservation Board voted 5-1 in favor of designation. Only one of the criteria has to be met. This structure is recognized for the quality of its architectural significance as well as the distinguishing

characteristics of the materials used during a certain period of time, meeting criteria of the Unified Land Development Regulations (ULDR). The Board voted that the structure meets the minimum criteria of the ULDR and this is supported by the City's historical consultant.

In response to Commissioner Moore, Mr. Brewton said the building was clearly shown on the insurance map of 1928. Referring to materials used and that it appeared in publications during that time frame, it was built some time between 1920 and 1928. The criteria of being 50 years is justified.

Commissioner Moore asked about the statement made that the building could not be made hurricane proof. Mr. Brewton believed there is a way to hurricane proof the building. However, it must be noted that the building has withstood many hurricanes in the past than many buildings existing in the city today.

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

Commissioner Rodstrom disclosed that she spoke with Susan Jordan, Dean Trantalis and Patricia Rathburn regarding this matter.

In response to Commissioner Rodstrom, Ms. Rathburn said that she is an attorney and does not live in the area.

Vice Mayor Hutchinson disclosed that she also spoke with Ms. Rathburn.

Commissioner Teel disclosed that she spoke with Ms. Rathburn.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 07-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING THE BUILDING THAT IS LOCATED AT 1610 NE SECOND COURT, FORT LAUDERDALE, FLORIDA, AS A HISTORIC LANDMARK PURSUANT TO SECTION 47-24.11 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS.

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

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**Operating Budget Amendment - \$5,960,624**

**(PH-03)**

**\$5,960,624 to be transferred from available Net Assets in the Water and Sewer Capital Project Fund 454 to P11172.454, sub-object 6599 (Construction).**

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

Commissioner Moore introduced the ordinance on second reading:

ORDINANCE NO. C-07-03

AN ORDINANCE AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007 BY TRANSFERRING \$5,960,624 FROM NET ASSETS IN THE WATER AND SEWER CAPITAL PROJECT FUND 454 TO WATER AND SEWER FUND, THE REIMBURSEMENT FOR COMPOST PLANT SITE CONSTRUCTION ACCOUNT WITHIN THE FINAL OPERATING BUDGET.

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

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**Use of Floyd Hull Stadium – Lease Agreement -  
Little Yankee Boys’ Football League**

**(PH-04)**

**No budgetary impact.**

Phil Thornburg, Parks and Recreation Director, said Little Yankee Boys Football League entered into an agreement with the City on June 5, 1973, allowing them priority use of the Floyd Hull Stadium for a term of fifteen years. In 1985 the agreement was renewed for an additional term of twelve years, expiring on June 5, 2000. Little Yankee Boys’ Football League, Inc. d/b/a Fort Lauderdale Jaguars is requesting to enter into a lease agreement with the City for an additional term for priority use of the grounds, lights, concession stands and football building during their football season. Their season is defined as: (a) the latter of July 15<sup>th</sup>, (b) conclusion of the baseball all-star game, (c) conclusion of the southeast regional baseball tournament or (d) conclusion of the big league baseball world series; to the earliest of: (a) conclusion of the football all-star competition or (b) December 20<sup>th</sup> for each year during the term of this agreement. The proposed lease would also provide the League with the opportunity to construct improvements subject to the approval, plans and specifications by the City’s Building Department, Parks and Recreation Department, and the Department of Public Works. Such improvements shall, upon completion, become the property of the City. No additional permanent structures may be erected without the written approval of the Federal Little League. The new agreement would be for nineteen years, commencing February 7, 2007 and ending February 7, 2026. The Parks and Recreation Department recommends approval.

Commissioner Moore asked if anyone opposes the proposal.

Kenny Nail, representing the Little Yankee Boys’ Football League d/b/a Fort Lauderdale Jaguars, asked individuals who support this organization to stand. He said this agreement would permit the League with Federal Little League Baseball to continue to

co-exist and use the stadium for their respective season as they have for the past forty years. They represent more than 300 children. They are willing to share the area with other sports as deemed appropriate by the City. For the past three months they have been working diligently with the City to reinstate their agreement. He thanked City staff. Their relationship with the Federal Little League Baseball is strained, but they look forward to rebuilding that relationship.

James Dunmire, Federal Little League Baseball Program, provided history on the growth and development of the little league baseball program and development of Floyd Hull Stadium. Federal Little League Baseball earned and was given certain entitlements by the City in exchange for ownership of a fully constructed park by volunteers and donations and a relationship that has existed for the past forty-four years. The original lease that Little Yankee Football signed on June 5, 1973 would be accepted by the Federal Little League, but the new lease is a cannibalized version of that lease. There are glaring omissions especially in paragraph one. Federal Little League Baseball will not tolerate the loss of any status they richly deserve; they are not asking for any additional entitlements and would support a renewed lease patterned after the 1973 agreement as authored by Floyd Hull.

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

Vice Mayor Hutchinson was familiar with the facility and knows its history. She understood that nothing would change. Football and the Federal League Baseball would continue to exist if the new lease is adopted. The City owns the property while the Federal Little League Baseball has an exclusive lease during baseball season. They would continue to have the Morton Center. Mr. Thornburg confirmed that is correct. Everyone should have the ability to use the facility during their respective seasons.

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

Commissioner Rodstrom asked if Little Yankee Football is intending to make capital improvements to the field. Mr. Thornburg said that as of this time no one is considering making any capital improvements. Language in the original terms indicates if there are improvements presented to the City by Football, they would need not to interfere with Baseball and coordinate those improvements through the City.

Commissioner Rodstrom wanted the nineteen year lease to be scaled back to make it consistent with other existing leases, such as a one or three years. A nineteen year lease is designed if capital improvements are being made. It would be extremely liberal if no capital improvements are made. Mr. Thornburg said the nineteen year time frame was to make it coincide with the Baseball League's lease. Therefore, both leases would terminate at the same time. Commissioner Rodstrom pointed out that the Baseball League made capital improvements. Vice Mayor Hutchinson pointed out that those improvements were made many years ago. Mr. Thornburg indicated that Football also made improvements to the facility when it was built.



Commissioner Moore felt the community made improvements to public property, although they may have made the improvements through a baseball or football organization. He felt no one has any greater use or accessibility to public property.

Commissioner Moore offered the resolution.

RESOLUTION NO. 07-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A LEASE AGREEMENT WITH LITTLE YANKEE BOYS' FOOTBALL LEAGUE, INC. FOR PRIORITY USE OF THE FACILITIES AT FLOYD HULL STADIUM AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE LEASE AGREEMENT.

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

Mayor Naugle said the Commission hopes both groups could solve their differences.

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**ORDINANCES**

**Trial Residential Parking Permit Program (O-01)**  
**Colee Hammock**

**Est. costs (\$135,000 to \$150,000) for this 6-month trial will have to come from the undesignated available Parking Fund balance if approved by the Commission.**

This item was deferred earlier in the meeting.

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**Amend Operating Budget – Fiscal Year 2006-2007 (O-02)**  
**Transfer Grant Funds – Metropolitan Medical Response - \$232,330**

**Grant award of \$232,330 funded in C310 DHS Pass-thru Dept. of Community Affairs in grant index code GMMRS08 (Metropolitan Medical Response System)**

Commissioner Moore introduced the ordinance on the first reading:

ORDINANCE NO. C-07-04

AN ORDINANCE AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007 BY TRANSFERRING GRANT FUNDS AWARDED TO THE CITY BY THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF \$232,330 TO NET ASSETS IN THE SPECIAL REVENUE

FUND (129) WITHIN THE FINAL OPERATING BUDGET TO ACCEPT AND DISBURSE SUCH GRANT FUNDS.

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

**Amendment to the Pay Plan – Schedule I** (O-03)

**A total of \$76,000 is budgeted in the Fire-Rescue Department’s 2006/2007 budget, as detailed in the attached Exhibit 3.**

Commissioner Moore introduced the ordinance on the first reading:

ORDINANCE NO. C-07-05

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SCHEDULE I OF THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY ADJUSTING THE PAY RANGE OF A CLASS, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel, Rodstrom and Moore 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	Ina Lee Carlos Molinet
Budget Advisory Board	William Nielsen Joseph P. Welsch
Utility Advisory Committee	Clare M. Vickery Terri Murru L. Thomas Chancey Bunney Brenneman Fred Stresau Bernie Petreccia

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 07-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD

MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO  
AND MADE A PART HEREOF.

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

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Commissioner Moore said he did not have a problem with the purchase of tasers, but is concerned with the City's policy. Considering discussion earlier today, he asked if it is understood that other entities' comments on methodology is going to be reviewed. Mayor Naugle said he accepted the policy presented by the Chief of Police. If there is anything that needs to be clarified, Commissioner Moore could meet with the City Manager and Police Chief.

Commissioner Moore preferred the Commission have the dialogue. He wanted to receive community comments before reaching agreement on the policy. The Fiske report should be available to the full Commission before there is agreement on the procedure. Mayor Naugle said that law enforcement professionals have standards and use of force matrix that are time tested by law enforcement agency after law enforcement agency. The policy is consistent with such standards. He did not see a need to second guess the police officers who have a difficult job.

Vice Mayor Hutchinson was agreeable to reading the information and address it at a conference meeting.

Commissioner Teel did not see any problem in reviewing a policy and a procedure. She thought it could be scheduled for a conference meeting.

Mayor Naugle concluded the matter could be brought forward as a Commission report.

There being no other matters to come before the Commission, the meeting was adjourned at 7:33 P.M.

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Jim Naugle  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk