

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING FEBRUARY 20, 2007

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
FEBRUARY 20, 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 Father Michael "Happy" Hoyer, Our Lady Queen of Martyrs 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 January 29, 2007 Special Regular Minutes and the February 6, 2007 Conference and Regular Meetings and agenda be approved. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel, Rodstrom, and Moore, and Mayor Naugle. NAYS: None.

Presentations

1. National Engineers Week – February 18-24, 2007 (PRES-01)

Commissioner Teel and the City Commission presented a proclamation designating February 18 – 24, 2007 as "National Engineers Week" in the City. Peter Partington, City Engineer, thanked the Commission and paid tribute to Tim Welch, Land Development Manager, who has been with the City for over 15 years and is leaving.

2. Construction Safety Day (PRES-02)

Commissioner Moore and the City Commission issued a proclamation designating February 22, 2007 as "Construction Safety Day" in the City. Joyce Salamonie, Construction Association of South Florida accepted the proclamation.

3. Expressions of Sympathy (OB)

Commissioner Moore and the City Commission presented an expression of sympathy to the family of William Dandy.

4. Expression of Sympathy – Family of John Bruce City of Fort Lauderdale Firefighter (PRES-03)

Vice Mayor Hutchinson and the City Commission presented an expression of sympathy to the family of Firefighter John Bruce.

Vice Mayor Hutchinson also recognized Kim Van Saant, who was instrumental in the Fire Rescue Department raising monies for Muscular Dystrophy. Ms. Van Saant indicated that last year they collected over \$100,000.

5. Expression of Sympathy (OB)

Mayor Naugle and the City Commission presented an expression of sympathy to the family of Frank Speciale, Electrician in the Public Works Department.

773-9696 – Non-Native Tree Removal at Evergreen Cemetery And Tree Stump and Debris Removal – Hurricane Aftermath (PUR-03)

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

Christian Romany Church Property – Proposed Substance Abuse Facility – Broward County (CR-05)

Mayor Naugle said that this item was amended as specified in the Commission Conference Meeting earlier today.

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 – Sistrunk Parade (M-01)
Closing City Streets Along Route

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Sistrunk Historical Festival, Inc. for the Sistrunk Parade to be held Saturday, February 24, 2007, 7:30 AM – 11 AM and authorizing closing City streets along the route, beginning at Mount Olive Baptist Church (NW 9 Avenue and NW 4 Street) and ending at Delevoe County Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0210

Event Agreement and Co-Sponsorship (M-02)
International Dance Celebration

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Luz Del Mundo (Light of the World), Inc. for the International Dance Celebration to be held on Sundays, February 25, March 25, and April 22, 2007, 11 AM – 5 PM at Stranahan Park and approving co-sponsorship to allow installation of banners at specified locations, subject to permitting regulations detailed in the Code of Ordinances.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0275

Event Agreement – St. Patrick’s Day Celebration (M-03)
Closing Alley Behind Maguire’s Hill 16 Property

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Cilldara Inc. for St. Patrick’s Day Celebration to be held at Maguire’s Hill 16, 535 North Andrews Avenue on Friday, March 16, 2007, 5 PM – 12 Midnight and Saturday, March 17, 2007, 7 AM – 12 Midnight and authorizing closing of the alley running parallel to Andrews Avenue behind Maguire’s Hill between their property lines.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0277

Event Agreement and Co-Sponsorship - Waterway Clean Up (M-04)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Marine Industries Association of South Florida, Inc. for 30th Anniversary Waterway Cleanup to be held Saturday, March 3, 2007, 9 AM – 1 PM at several waterfront locations throughout the City and approving co-sponsorship to allow banners at specified locations, subject to permitting regulations detailed in Code of Ordinances all contingent upon City Attorney's Office review and approval of executed event agreements.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0279

Event Agreement - Walk For The Animals Closing City Streets Along Route (M-05)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Humane Society of Broward County, Inc. for the Walk for the Animals to be held Saturday, March 3, 2007, 8 AM – 12 Noon and authorizing closing of City streets along the route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0280

Event Agreement – Beach Volleyball Series (M-06)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Exclusive Sports Marketing, Inc. of Florida for the Beach Volleyball Series to be held at Fort Lauderdale Beach on Saturday, March 17, 2007, 8 AM – 8 PM and Sunday, March 18, 2007, 9 AM – 5 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0282

Event Agreement –Mercedes Festival of Stars (M-07)

Closing SE 5 Avenue**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with South Florida Section, Mercedes Benz Club of America, Inc. for Mercedes Festival of Stars to be held Saturday, March 3, 2007, 10 AM – 4 PM in the Las Olas City Center area and authorizing closing SE 5 Avenue from East Las Olas Boulevard north to SE 2 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0283

Event Agreement – Pridefest 2007**(M-08)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Pride One of Broward County, Inc. for PrideFest 2007 to be held Saturday and Sunday, March 10 and 11, 2007 12 Noon – 8 PM at War Memorial Auditorium and Holiday Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0284

**Event Agreement – Our Lady Queen of Martyrs
Spring Carnival****(M-09)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Our Lady Queen of Martyrs Church, a parish of the Archdiocese of Miami, Inc. for Spring Carnival to be held Thursday, March 8, 2007 through Sunday, March 11, 2007 and authorizing closing of SW 11 Court from SW 27 Avenue to SW 28 Avenue, 9 AM Monday, March 5, 2007 to 5 PM Monday, March 12, 2007, all contingent upon City Attorney's Office review and approval of executed event agreement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0285

**Event Agreement – Tent Revival and Community Flea
Market Give-Away – Closing NW 12 Avenue****(M-10)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Mount Bethel Baptist Church, Inc. for the Tent Revival and Community Flea Market Give-Away to be

held Friday, March 30, 2007, 3 PM – 10 PM on church property at 901 NW 11 Avenue and authorizing closing NW 12 Avenue from NW 6 Street to NW 6 Court.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0296

Event Agreement – Diverse Minority Pride Picnic

(M-11)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with South Florida Diverse Minority Pride, Inc. for the Diverse Minority Pride Picnic to be held Sunday, March 4, 2007, 12 Noon – 6 PM at Mills Pond Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0298

**Event Agreement – Riverwalk Blues Festival
Closing SW 3 Avenue**

(M-12)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Musicians Exchange Referral Services, Inc. for the Riverwalk Blues Festival to be held Friday, March 2, 2007 through Sunday, March 4, 2007, at Revolution on SW 3 Avenue and authorizing closing SW 3 Avenue from SW 2 Street to north side of Revolution property, all contingent upon City Attorney's Office review and approval of executed event agreement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0300

**Sovereign Submerged Land Easement
New River Swing Span Bridge – SW 11 Avenue**

(M-13)

No budgetary impact.

A motion authorizing the proper City Officials to execute a Sovereign Submerged Land Easement with Florida Department of Environmental Protection granting the City a non-exclusive easement over and across the sovereign land adjacent to New River Swing Span Bridge – SW 11 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0166.

Amendment 1 – Task Order 48 – Camp Dresser and McKee Inc. - (M-14)
\$49,972 – Downtown Wastewater Modeling & Gravity System
Infrastructure

\$55,968.64 needs to be transferred from the Water and Sewer Capital Projects Fund 454 to Project 10997.454, sub-object 6599.

A motion authorizing: (1) Amendment1 to Task Order 48 with Camp Dresser and McKee Inc., in the amount of \$49,972 – engineering services associated with Downtown Wastewater Modeling and Gravity System Infrastructure Update – Project 10997, and (2) transfer \$55,968.64 from Water and Sewer Capital Projects Fund 454 to Project 10997.454.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0198

Task Order – Chen and Associates Consulting Engineers, Inc. - (M-15)
\$42,604.30 – Civil Engineering Design – Fire Station 3

\$42,604 is budgeted in P10916.336 sub-object 6599.

A motion authorizing the proper City Officials to execute a Task Order with Chen and Associates Consulting Engineers, Inc. in the amount of \$42,604.30 – Civil Engineering Design – Fire Station 3 – Project 10916.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0264

Task Order 31 – CMTS Florida, LLC - \$134,740.55 (M-16)
Utility Construction Inspection Services –
Area 4 Basins B and C

\$150,909.42 needs to be transferred from Water and Sewer Revenue Bonds to Project 10507.482 sub-object 6599.

A motion authorizing: (1) Task Order 31 with CMTS Florida, LLC., in the amount of \$134,740.55 – utility construction inspection services – Area 4 Basins B and C – Project 10507BC, and (2) transfer \$150,909.42 from Water and Sewer Revenue Bonds to Project 10507.482 to fund task order and estimated engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0258

Task Order – Chen and Associates Consulting Engineers, Inc. - (M-17)
\$42,404 – State Road A-1-A Seabreeze Boulevard – Transit Improvements

Transfer \$24,142.48 from P00448.331 sub-object 6599 and \$18,261.52 from P00423.331 sub-object 6599 to P11196.331 sub-object 6599.

A motion authorizing: (1) Task Order with Chen and Associates Consulting Engineers, Inc. in the amount of \$42,404 – Civil Engineering Services – State Road A-1-A Seabreeze Boulevard Transit Improvements, and (2) transfer \$24,142.48 from P00448.331 sub-object 6599 and \$18,261.52 from P00423.331 sub-object 6599 to P11196.331 sub-object 6599 to fund task order.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0302

Work Order 10507BC – Intercounty Engineering, Inc. - (M-18)
\$1,998,959.40 – Change Order 1 – Area 4 Basins B and C - \$195,050

\$268,421.12 to be transferred from Water & Sewer Revenue Bonds to P10507.482, 6599 and \$2,188,869.41 from WW Non-Regional SRF Loan #4 to P10507.490.

A motion authorizing: (1) Work Order 10769A in the amount of \$5,527,666.38 – construction of sanitary sewer and water main improvements, (2) Change Order 1 in the amount of \$196,121.52 – Croissant Park Basin A – Project 10769A, and (3) transfer \$6,410,642.45 from Water and Sewer Revenue Bonds to Project 10769.482 for the cost of change order and estimated engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0260

Work Order 10769A – Conquest Engineering Group Company - (M-19)
\$5,527,666.38 – Change Order 1 – Croissant Park Basin A – \$196,121.52

\$6,410,642.45 to be transferred from Water and Sewer Revenue Bonds to Project 10769.482, sub-object 6599.

A motion authorizing: (1) Work Order 10769A in the amount of \$5,527,666.38 – construction of sanitary sewer and water main improvements, (2) Change Order 1 in the amount of \$196,121.52 – Croissant Park Basin A – Project 10769A, and (3) transfer \$6,410,642.45 from Water and Sewer Revenue Bonds to Project 10769.482 for the cost of change order and estimated engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0263

Work Order 10517B – Foster Marine Contractors, Inc. - (M-20)
\$9,006,409.96 – Change Order 1 – Lauderdale Manors
Phase III Basin B - \$108,100

\$10,208,251.16 to be transferred from Water and Sewer Revenue Bonds to Project 10517.482, 6599.

A motion authorizing: (1) Work Order 10517B in the amount of \$9,006,409.96 to Foster Marine Contractors, Inc. – construction of sanitary sewer and water main improvements, (2) Change Order 1 in the amount of \$108,100 – additional work – Project 11070A, and (3) transfer \$10,208,251.16 from Water and Sewer Revenue Bonds to Project 10517.482 to fund the work order, change order and estimated engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0259

Change Order 1 – MBR Construction, Inc. - \$72,500 (M-21)
Riverwalk South Regional Park

\$72,500 is budgeted in P10754.129, sub-object 6599.

A motion authorizing Change Order 1 with MBR Construction, Inc. in the amount of \$72,500 – additional work – Riverwalk South Regional Park – Project 10754.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0236

Change Order 3 – Conquest Engineering Group Company (M-22)
& Add 67 Days – Sunrise Key & Sunrise Intracoastal
Infrastructure - \$30,076.80

\$33,686.02 to be transferred from the Water and Sewer Revenue Bonds to P10698.482, sub-object 6599

A motion authorizing: (1) Change Order 3 with Conquest Engineering Group Company in the amount of \$30,076.80 – quantity increases and additional items, and the addition of 67 non-compensable calendar days to contract period – Sunrise Key and Sunrise Intracoastal Infrastructure Improvement – Project 10698, and 92) transfer \$33,686.02 from Water and Sewer Revenue Bonds to P10698.482 to fund change order and associated engineering costs.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0261

Change Order 5 – Lanzo Construction Co., Florida - (M-23)
(\$130,024.67) Credit River Oaks Septic Area 6
Phase II – Jacob’s Landing Sanitary Sewer

\$130,024.47 to be credited to P10705.482 sub-object 6599.

A motion authorizing Change Order 5 with Lanzo Construction Co., Florida, in the CREDIT amount of (\$130,024.67) – final reconciliation of quantities – River Oaks Septic Area 6 Phase II – Jacob’s Landing Sanitary Sewer, Pump Station and Water Main – Project 10705B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0243

Change Order 2 – Conquest Engineering Group Company - (M-24)
\$21,666.95 – Sewer and Water Main Improvements –
Croissant Park Basin B

\$24,267 to be transferred from the Water and Sewer Revenue Bonds to P10769.482, sub-object 6599.

A motion authorizing: (1) Change Order 2 with Conquest Engineering Group Company in the amount of \$21,666.95 – quantity increases and additional work – Sewer and Water Main Improvements – Croissant Park Basin B – Project 10769B, and (2) transfer \$24,267 from Water and Sewer Revenue Bonds to P10769.482.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0244

Change Order 5 – Danella Companies, Inc. - \$200,000 (M-25)
& Add 74 Days – Harbor Beach Wastewater System and
Water Main Improvements

Transfer \$200,000 from the WaterWorks SRF Construction Loan #3 Fund to P10671.489, 6599 and \$24,000 from Water and Sewer Revenue Bonds

A motion authorizing: (1) Change Order 5 with Danella Companies, Inc., in the amount of \$200,000 – additional work and the addition of 74 non-compensable calendar days to contract period – Harbor Beach Wastewater System and Water Main Improvements – Project 10671, and (2) transfer \$200,000 from WaterWorks State Revolving Fund Construction Loan 3 to P10671.489 and \$24,000 from Water and Sewer Revenue Bonds to P10671.482.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0248

Contract Award – McMahon & Associates - \$231,690.61 (M-26)
Dorsey Riverbend Neighborhood Enhancement

\$35,000 is available in P11105.331, 6599 and \$196,690.61 is available in P10435.106, 6599

A motion authorizing the proper City Officials to award and execute a contract with McMahon & Associates, Inc., in the amount of \$231,690.61 – engineering and architectural design – Dorsey Riverbend Neighborhood Enhancement – Project 10435.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0268

Miscellaneous Architectural Services – Continuing (M-27)
Contract – ACAI Associates, Inc.

No budgetary impact. Funding for task orders assigned under this contract will come from the individual project budgets.

A motion authorizing the proper City Officials to execute an agreement with ACAI Associates, Inc. – Continuing Contract for Miscellaneous Architectural Services – term of two years with option to renew for three, one-year periods.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0255

Police & Firefighters Retirement System - Declaratory (M-28)
Judgment – Academic Incentive Pay – Pensionable Earnings

No immediate budgetary impact.

A motion authorizing City Attorney to: (1) file for declaratory judgment action against Board of Trustees of City of Fort Lauderdale’s Police & Firefighters’ Retirement System – academic incentive pay as pensionable earnings and the Plan’s authority to open a separate bank account to make payments to retirees relative to academic incentive pay in dispute, and (2) seek appropriate equitable relief.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0223

Settlement – Velva Turner, Et Al V (M-29)
City of Fort Lauderdale, Et Al

There are sufficient funds reserved in the Liability Account 229-430002 to pay the Turner settlement.

A motion authorizing settlement of Velva Turner, et al v. City of Fort Lauderdale, et al and execution of associated Memorandum of Settlement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0299

Mediated Settlement Agreement – Swim School, Swim Team (M-30)

Projected Revenues \$97,000 BUS040101-K530 Swim contract; Projected Expenses \$55,000 BUS040101-3213 Coach/umpire services.

A motion authorizing agreements for both the Swim School and Swim Team to be extended for thirty-one days, ending March 31, 2007.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0307

Disbursement of Funds/Joint Investigation/O.R. No. 05-88722 – Law Enforcement Trust Fund (M-31)

No budgetary impact.

A motion authorizing the equitable disbursement of funds in the amount of \$154,577.93 with each of the thirteen participating law enforcement agencies to receive \$11,890.61.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0227

Grant Application – Fiscal Year 2007-2008 Community Development Block Grant – Graffiti Clean-Up -- \$14,000 (M-32)

A motion authorizing the proper City Officials to apply for grant funds in the amount of \$14,000 with a \$5,000 cash match – Fiscal Year 2007-2008 Community Development Block Grant – Graffiti Clean-up.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0287

CONSENT RESOLUTION

Sidewalk Repairs

(CR-01)

No budgetary impact.

A resolution authorizing the proper City Officials to notify certain property owners of their responsibility to repair the sidewalk abutting their property pursuant to City Code, Section 25-56 and 25-58.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0206

**Grant Acceptance – NE 15 Avenue Beautification
\$250,000 – Florida Department of Transportation**

(CR-02)

Grant is funded in P10313.129 – No cash match required.

A resolution authorizing acceptance of Transportation Enhancement Funding in the amount of \$250,000 from Florida Department of Transportation – design and construction of beautification improvements on NE 15 Avenue.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0273

**Restriping of SW 4 Avenue – Auxillary Lane for
On-Street Parking and Bus Stops**

(CR-03)

No budgetary impact.

A resolution expressing support in restriping the length of SW 4 Avenue between State Road 84 and Davie Boulevard to accommodate an auxiliary lane for on-street parking and bus stops.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0291

Bank Signature Authority

(CR-04)

No budgetary impact.

A resolution designating authorized signatures for City bank accounts.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0174

Christian Romany Church Property (CR-05)
Proposed Substance Abuse Facility – Broward County

A resolution requesting Broward County to cease efforts to acquire church property known as Christian Romany Church Ministries – 330 SW 27 Street.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0306

PURCHASING AGENDA

562-9553 – Soccer Uniforms (PUR-01)

\$3544 is budgeted in PKR030210, sub-object 3934 (Youth Athletics Uniforms)

Approval to increase expenditures for soccer uniforms is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Sport Sphere, Inc.
Jupiter, FL

Amount: \$3,544.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-0249

The Procurement Services Department has reviewed this item and recommends approval of the increased expenditure.

562-9330 – Plants, Supply and/or Installation (PUR-02)

\$38,000 available under multiple budgets in the Parks Division: PKR060201-3434, PKR060301-3434; PKR061301-3434; and \$37,000 available

Approval to increase expenditure to provide plants, with or without installation, for the balance of first contract year is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Landscape Service Professionals, Inc.
Tamarac, FL

Amount: \$75,000.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 07-0141

The Procurement Services Department has reviewed this item and recommends approval to increase expenditure from the existing contract.

773-9696 – Non-Native Tree Removal At Evergreen Cemetery and Tree Stump and Debris Removal – Hurricane Aftermath (PUR-03)

Cemetery Perpetual Care Trust Fund Retained Earnings upon City Commission approval will pay the contractor \$43,460 upon completion of the work.

Approval to remove large tree stumps and tree debris from previous hurricanes and to remove non-native trees from Evergreen Cemetery Cliff Lake area is being presented for approval by the Business Enterprises Department.

Recommend: Motion to approve.

Vendor: Arbot Tree and Land, Inc.
 Boynton Beach, FL
Amount: \$43,460.00
Bids Solicited/Rec'd: 258/17
Exhibit: Commission Agenda Report 07-0251

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

Annual Maintenance and Support Agreement - Networking Equipment (PUR-04)

ITS020102-3401 Telephone/Network Communications Computer Repair \$66,601.71

One-year renewal for maintenance and support of Cisco SmartNet Computer Networking equipment is being presented for approval by the Information Technology Department.

Recommend: Motion to approve.

Vendor: Government Technology Services, Inc.
 Chantilly, VA
Amount: \$66,601.71 (not to exceed)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 07-0257

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

**773-9676 – Minutes Secretary Services; Advisory
Boards and Committees****(PUR-05)**

\$48,850 in respective Department/Division user budgets based on actual meeting hour usage. See Exhibit 3 for funding breakdown.

One-year contract for advisory board and committee minutes secretary services is being presented for approval by the City Clerk's Office.

Recommend: Motion to approve.

Vendor: Prototype, Inc. Margaret Muhl Transcription
Six Mile, SC Tipp City, OH
COCHHBHA Enterprises, Inc.
Plantation, FL

Amount: \$48,850.00 (estimated)

Bids Solicited/Rec'd: 321/3

Exhibit: Commission Agenda Report 07-0274

The Procurement Services Department has reviewed this item and recommends awarding to all responsive and responsible bidders.

**775-9665/662-9460 – Rejection of Proposals
Central Beach Master Plan and Master Plan –
Streetscape Projects****(PUR-06)**

No budgetary impact.

A motion to reject all proposals for Central Beach Master Plan Project and Master Plan/Streetscape Project is being presented by the Planning and Zoning Department.

Recommend: Motion to reject.

Exhibit: Commission Agenda Report 07-0318

The Procurement Services Department has reviewed this item and recommends rejecting all proposals submitted.

**175-9699 – Group Life and Accidental Death and
Dismemberment Insurance****(PUR-07)**

INS200101, Sub-object 5133, Health Carrier Premiums, Estimated 1st year annual total of \$192,574.

Award of three-year contract for basic and voluntary group life and accidental death and dismemberment insurance is being presented for approval by the Finance Department.

Recommend: Motion to approve.

Vendor: Standard Insurance Company
Portland, OR
Amount: \$192,574.00 (estimated annual)
Bids Solicited/Rec'd: 305/11
Exhibit: Commission Agenda Report 07-0262

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

472-9625 – Turf Grass Maintenance Services

(PUR-08)

\$68,500 is budgeted in the PBS090401, sub-object 3237 and \$13,500 is budgeted in PBS660505, sub-object 3434.

Approval of three, one-year contracts for turf grass maintenance services is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Family Lawn Maint., Inc. T.T.C. Environmental, Inc.
Lake Worth, FL Miami, FL
Three-H Learning Ctr., Inc.
Dade City, FL
Amount: per unit prices (estimated)
Bids Solicited/Rec'd: 169/8
Exhibit: Commission Agenda Report 07-0190

The Procurement Services Department reviewed this item and recommends awarding to the low responsive and responsible bidders, as well as approval to reject bids for Group III and award under Florida Statute.

Replacement of Stolen Survey Equipment

(PUR-09)

\$31,294 is budgeted in PBS060101, sub-object 3999 other supplies.

Approval to purchase replacement survey-grade GPS setup and total station equipment is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Florida Level & Transit Co., Inc.
Fort Lauderdale, FL
Amount: \$31,294.00
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 07-0233

The Procurement Services Department reviewed this item and recommends approving purchases from the Florida Dept. of Transportation contract.

26-090-R – Heavy Equipment Rental Contract

(PUR-10)

No budgetary impact. Costs associated with this contract will be paid funded from the individual department’s operational budget at the time of rental service.

Approval of one-year contract for various heavy equipment rentals, as needed, is being presented for approval by the Public Works Department.

Recommend:	Motion to approve.	
Vendor:	Sunbelt Rentals, Inc. Charlotte, NC	Randall Rents of Florida, Inc. Davie, FL
Amount:	per unit prices	
Bids Solicited/Rec’d:	N/A	
Exhibit:	Commission Agenda Report 07-0144	

The Procurement Services Department reviewed this item and recommends awarding from the Broward County School Board Contract.

CONSENT RESOLUTIONS

Sidewalk Repairs

(CR-01)

No budgetary Impact.

RESOLUTION NO. 07-28

A RESOLUTION REQUIRING THE OWNERS OF CERTAIN PARCELS OF REAL PROPERTY TO RECONSTRUCT OR REPAIR SIDEWALKS ABUTTING THEIR PROPERTIES WITHIN SIXTY (60) DAYS AND, IN THE EVENT SUCH OWNERS FAIL TO DO SO, AUTHORIZING CITY WORK CREWS OR CONTRACTORS, OR BOTH, TO RECONSTRUCT OR REPAIR SAID SIDEWALKS WITH THE COST OF PERFORMING SUCH WORK CONSTITUTING A CHARGE AND LIEN AGAINST SAID PROPERTY.

Grant Acceptance – NE 15 Avenue Beautification - \$250,000 – Florida Department of Transportation

(CR-02)

Grant is funded in P10313.129 – No cash match required.

RESOLUTION NO. 07-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY

OFFICIALS TO RECEIVE TRANSPORTATION ENHANCEMENT FUNDING FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) IN THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) FOR THE DESIGN AND CONSTRUCTION OF THE NE 15 AVENUE BEAUTIFICATION IMPROVEMENT PROJECT.

Restriping of SW 4 Avenue (CR-03)
Auxiliary Lane For On-Street Parking and Bus Stops

No budgetary impact.

RESOLUTION NO. 07-30

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, EXPRESSING SUPPORT IN RESTRIPIING THE LENGTH OF SW 4 AVENUE, BETWEEN STATE ROAD 84 AND DAVIE BOULEVARD, TO ACCOMMODATE AN AUXILIARY LANE FOR ON-STREET PARKING AND BUS STOPS.

Bank Signature Authority (CR-04)

No budgetary impact.

RESOLUTION NO. 07-31

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION NO. 06-59 OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO INCLUDE GERALD J. BEHRENDT, CONTROLLER, AMONG THOSE AUTHORIZED TO SIGN CHECKS FOR THE PAYMENT OF MONEY ON BEHALF OF THE CITY, AND PROVIDING AN EFFECTIVE DATE.

Christian Romany Church Property (CR-05)
Proposed Substance Abuse Facility – Broward County

No budgetary impact.

RESOLUTION NO. 07-32

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, URGING THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TO PURSUE DEVELOPMENT OF A NEW REHABILITATION FACILITY WITHOUT INCLUDING THE CHRISTIAN ROMANY CHURCH PROPERTY LOCATED AT 330 S.W. 27TH STREET, FORT LAUDERDALE, FLORIDA

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-11, M-18, M-19, M-20, M-25, M-30, CR-01 and PUR-06 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, Rodstrom, and Moore, and Mayor Naugle. NAYS: None.

Event Agreement – Diverse Minority Pride Picnic (M-11)

Commissioner Moore asked the event organization representatives to introduce themselves to the residents tomorrow evening at the district at City Hall, 7 p.m.

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

Work Order 10507BC – Intercounty Engineering, Inc. - \$1,998,959.40 (M-18)
Change Order 1 – Area 4 Basins B and C - \$195,050

In response to Commissioner Rodstrom, Paul Bohlander, Assistant Utilities Services Director, said the work order includes all items from the base contract. Prices were competitively established based on work considered generic and typically required for sanitary, sewer and water main replacement. The change order covers M-18, M-19 and M-20 adds items not expected in the base contract, but required to complete the project. The base contract includes approximately 300 typical items; it would have been almost impossible to anticipate all the particulars of work that would be required as specific work orders were developed and assigned. These are the exceptions.

Vice Mayor Hutchinson noted the memorandum should be corrected to read SW 20 Street.

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

Work Order 10769A – Conquest Engineering Group Company (M-19)
\$5,527,666.38 – Change Order 1 – Croissant Park Basin A - \$196,121.52

Commissioner Rodstrom said she pulled this item because it is a work order and a change order.

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

Work Order 10517B – Foster Marine Contractors, Inc. - \$9,006,409.96 (M-20)
Change Order 1 – Lauderdale Manors Phase III Basin B - \$108,100

Commissioner Rodstrom pulled this item because it is a work order and a change order.

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

Change Order 5 – Danella Companies, Inc. - \$200,000 & Add 74 Days (M-25)
Harbor Beach Wastewater System and Water Main Improvements

Vice Mayor Hutchinson wanted the public to understand why this is being done.

Paul Bohlander, Assistant Utilities Services Director, said this project includes replacement of water mains, force mains, and rehabilitation of five pump stations. The work includes conversion of four pneumatically operated to electric operated stations. In working with the neighborhood, it was decided the control panels would be housed in a column similar to other columns previously constructed in the neighborhood. This proposal was presented generally and it was believed by the neighborhood that all of the equipment would be housed in the columns. As the design evolved, there were also service pedestals required. A resident physically intervened in the construction; work was stopped and costs were incurred due to the delay and bypass pumping occurring at the time. A revised design was developed for smaller and relocated posts. There were negotiations with the neighborhood about acceptability. An alternate design for the equipment to be put into another column was determined not to be feasible. All the while bypass pumping was occurring and delay costs were being incurred. In January, a reasonable price was negotiated with the contractor and he was directed to downsize and relocate the posts as requested by the neighborhood.

Vice Mayor Hutchinson concluded the design change and work stoppage incurred the costs. She thought the problem could have been solved without stopping the work. In the future, she hoped it could be worked out without incurring costs.

Motion made by Vice Mayor Hutchinson to approve the item as presented.

Commissioner Rodstrom was also concerned the work was stopped because someone threw themselves in front of a truck and asked why the police were not called. Mr. Bohlander said they believed the resident had a legitimate argument that what they had been led to believe was not what was being constructed. It was partly because the original construction manager who had discussions with the neighborhood is no longer employed by the City.

Commissioner Rodstrom pointed out that months went by; it is poor precedence.

Commissioner Moore felt the individual should be sued and the project should be allowed to move forward. The City Attorney said probably a small portion of the money could be collected, depending on the time period, but it is not likely that the individual would be responsible for the entire delay. Commissioner Moore asked the City Attorney to research it and meet with the district commissioner also.

Commissioner Rodstrom wanted to know who made the decision to stop the project. Vice Mayor Moore asked this be included in the City Attorney's report.

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

Mediated Settlement Agreement – Swim School, Swim Team

(M-30)

Commissioner Rodstrom believed this is the second or third time that the mediation has been extended for a 30-day period. She asked if the necessary agreements are in place so the coaches could return to work. She did not want to delay it any further. The City Manager said that after the mediation settlement was concluded, information was brought forward in which allegations were made. As a consequence, staff felt compelled to investigate the allegations. Until the allegations and findings are presented, he felt it could be problematic to move forward.

Commissioner Rodstrom asked if the individual involved in the allegations has been removed from the agreement, and if so, could the matter move forward. She believed the allegation is a separate issue. The coaches need to return to work. The City Manager said that due to the nature of the accusations, the Commission would prefer to have that information before voting on this agreement.

Motion made by Commissioner Rodstrom that the City move forward with the agreement if it is available with the alleged individual removed from the document died for lack of a second.

Vice Mayor Hutchinson said that the matter has not been advertised.

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

Sidewalk Repairs

(CR-01)

In response to Commissioner Moore, Peter Partington, City Engineer, said the purpose of the item is so that letters could be sent to individuals who have defective sidewalks and offer them the options of arranging for the repairs or use the City's annual concrete contract. It is not the conservation corp group.

Commissioner Moore wanted to know the contractual obligations in connection with the Conservation Corp. and the length of time remaining on such contract.

Motion made by Commissioner Moore to approve this item as presented.

Vice Mayor Hutchinson asked how the addresses were obtained. Mr. Partington said the sidewalk inspection program is a reactive one based on complaints received from residents. Information could come from various sources. In response to Vice Mayor Hutchinson, Mr. Partington said letters would be sent, informing individuals that their sidewalk needs to be repaired. The ordinance specifies that the Commission take specific action on the addresses. In the past they assumed that the ordinance was sufficient authority. This is the first time a specific list has been presented.

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

**775-9665/662-9460 – Rejection of Proposals – Central Beach (PUR-06)
Master Plan and Master Plan – Streetscape Projects**

Commissioner Rodstrom requested an explanation as to why this is occurring. Kirk Buffington, Director of Procurement Services, said there were two solicitation documents; one was for the streetscape master plan, and the other was the Central Beach Master Plan. One was conducted through the normal RFP process, and one was an engineering design solicitation conducted through the Consultant’s Competitive Negotiation Act. As responses were reviewed, there appeared to be a lot of cross-over between the two projects and given the budgetary impact, staff thought it might be more practical to combine some of the scope of both projects and put out one RFP.

Marc LaFerrier, Director of Planning and Zoning, said their approach was to have one umbrella contract for all planning services, and then the engineering services would phase in. This would provide a more comprehensive approach in looking at the beach both in master planning and public improvements. Previous respondents would be able to respond again.

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

RESOLUTIONS

**Lot Clearing and Cleaning – Special Assessment (R-01)
For Associated Cost**

No budgetary impact.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 07-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, MADE PURSUANT TO CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF LOT CLEARING AND IMPOSING A SPECIAL ASSESSMENT LIEN AGAINST EACH PROPERTY FOR THE ASSESSED AMOUNT, AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

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

Five-Year Capital Improvement Plan for 2007-2011

(R-02)

No budgetary impact.

Commissioner Moore wanted to make sure the dialogue from the conference meeting would be part of this. He wanted to make sure improvements are made on NW 19 Street. The community had made the request and given assurance, but it is not included in the capital plan. He also wanted showers at Joseph C. Carter Park included in the capital plan. Mayor Naugle said it would be included and accomplished as quickly as feasible. Vice Mayor Hutchinson noted this is a five-year plan. Commissioner Moore indicated that the community has waited six years for these improvements and the showers should never have been eliminated. He felt the 19 Street issue should be expedited. With no objection, Mayor Naugle concluded this would be included.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 07-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN (CIP), AS AMENDED, FOR 2007-2011.

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

Vacation of Water Main Easements – 2150 SE 17 Street - Harbor Heights – 17th Street Marina Investments, LLC – Case 11-M-06

(R-03)

Applicant: 17th Street Marina Investments, LLC
Location: 2150 SE 17 Street
Zoning: B-1 Boulevard Business

No budgetary impact.

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 07-24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THOSE 5, 7 AND 15 FOOT WIDE WATER MAIN EASEMENTS LYING IN THE EAST 280 FEET OF THE SOUTH 220 FEET OF PARCEL "B," HARBOR HEIGHTS," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 34, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE WEST SIDE OF HARBOR HEIGHTS DRIVE (SOUTHEAST 23 AVENUE) BETWEEN SOUTHEAST 17TH STREET AND SOUTHEAST 18TH STREETS, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

**City Commission Request For Review – Case 59-R-06
3465 Galt Ocean Drive – Parking Reduction**

(R-04)

**Zoning: CB Community Business
Applicant: V & L Associates
Location: 3465 Galt Ocean Drive**

Mayor Naugle said this is a quasi-judicial matter.

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

Mayor Naugle said this is a City Commission Request for Review on a decision of the Planning and Zoning Board approving an application for a parking reduction at 3465 Galt Ocean Drive. The Commission approved Resolution 06-199 on December 12, 2006 to conduct a de novo hearing to review the application for parking reduction.

Sidney Calloway, representing the Applicant, said they are requesting a parking reduction of 24 spaces which was approved by the Planning and Zoning Board. They believe there is adequate parking for the proposed medical office development. This is also about a doctor who is trying to maintain and stabilize his practice in this area. An alternate site plan submitted to staff proposes 13 spaces to satisfy immediate needs whereas the 24 spaces would be for the long-term.

Steven Tilbrook, representing the Applicant, reviewed information on the request, including the location, zoning and land use. It is a corner building oriented to 35 Street and a public parking lot along Galt Ocean Drive. He showed a photograph of the area and a rendering of the proposed two-story project which would consist of two floors with 2,757 square feet of professional office space on the 2nd floor and 2,848 square feet of medical office space on the first floor. The site requires 30 parking spaces. There are 6 spaces available at this time and the need for a 24 space parking reduction. Most of the parking is provided in the City parking lot in the front. The reason for the application coming forward is the change of use, which then requires the building be brought up to Code. Variances were granted by the Board of Adjustment for setbacks and

landscaping. There are 136 public parking spaces in the study area for this site. At peak hours there is a maximum of 50% to 60% usage or about 70 spaces available at any one time.

Alan Tinter, Tinter Associates, Traffic Engineer, representing the Applicant, noted his qualifications and experience. He indicated that they believe the additional 24 spaces are available in the public parking lot. They met with staff and conducted a traffic study in February, March of last year. Observations were made on a Tuesday and Wednesday. Vacancies that existed were taken into account. There is adequate parking to meet the needs of this medical office building. The pedestrian pathways were reviewed and submitted to the City in August, 2006. Staff approved the study. Additional observations were done in December to make sure conditions had not changed. The City's traffic consultant reviewed the report and indicated that sufficient technical support had been provided for the parking reduction requested. Since that time additional counts have been done and every count has indicated there are sufficient spaces. In speaking with the City's Traffic Engineer and Consultant last week, both indicated there is sufficient parking.

Mr. Tilbrook said the parking studies demonstrate that Code requirements have been met. Letters of support were provided to the Commission.

Michael Ciesielski, Planning and Zoning, noted the request and introduced the City's traffic consultant.

Andre Growenough, Keith and Schnars, City Traffic Consultant, referred to the review memorandum and said the updated study was conducted on a Wednesday when the library is closed, which presents a problem. The methodology used the accumulation of demand parking based on existing tenants. Code requirements were then applied to the vacant space and to the Applicant's project. The re-evaluation as to methodology was not agreed upon with the Applicant. The accumulation in January, 2007 for the existing retail space was considered. It was then assumed that ratio would also apply to the vacant retail space, assuming that the tenant composition and characteristics would be similar. Normally, Code requirements are applied to vacant space because the tenant mix cannot be predicted. Generally about half of the Code requirements for retail are being applied to the remaining retail center and then the Applicant's project is added. Also considering the library was closed at the time, they could not draw the conclusion that there is sufficient parking.

Shalatore Robbie, resident, said many people in the area walk to the library and other businesses.

Arvin Bielen, 3341 NE 42 Court, Bermuda Riviera, said he walks to the doctor's office. He felt it is important to have the medical office in the immediate area.

JoAnn Marchese, resident of Bermuda Riviera, said she does not drive but rather walks; it is convenient across the street.

Terry Banks, 3750 Galt Ocean Drive, Regency South, said this doctor is an excellent physician and humanitarian. About 95% of his patients are from the Galt Mile and surrounding area. His patients need and require convenience of walking or using the free shuttle bus to his office. Many people on the Galt do not have transportation. She

lives directly across the street and faces this parking lot. There are no more than ten vehicles in the lot at any one time. The Galt Mile community and area businesses are in support of this doctor. She talked about the quality of service he provides. There are two temples across the street that are in support of this doctor and both of their parking lots are empty during the day.

Egie Sigall expressed support of this doctor and his project.

Ciro Nessuno said he lives across the street from the proposed facility. Even with the library open, there is about 50% of parking available daily.

Alberto Casaretto, a physician in Fort Lauderdale, said that Florida has a shortage of physicians. As the population continues to grow, there is an impending physician shortage. With the Cleveland Clinic leaving, it has drastically reduced physicians in the area. It would be a disservice not to allow this doctor to secure a space on the Galt Ocean.

Louis Benevento, a physician, said he was a medical school professor for 30 years and knows that Dr. Taledano's competence is above average. It is a shame that good medical care cannot be provided to this community for the sake of space. He hoped the Commission would make some sort of reconciliation.

Robert Cook said that both he and his wife are patients of this doctor. It is important to keep his practice in the Galt Mile and to secure more space.

Ismet Baker said the community should be proud to have this doctor. He is improving an area that is currently an eyesore while also providing needed medical services. There are no more than 4-5 cars at the library all day. He urged the Commission to support the request.

Dr. Victor Taledano, Applicant, said he has been providing health care to residents of the barrier island for over ten years. On two separate occasions, the office plaza sold. Recently he was asked to relocate. There is a significant shortage of health care providers in this area, especially since the Cleveland Clinic left. They have been through many months of meetings with City staff. They received approval from the Board of Adjustment, Development Review Committee and the Planning and Zoning Board. He asked the Commission to support this project and help address the medical crisis in the area.

There being no one else wishing to speak, Mayor Naugle closed the public hearing.

Commissioner Teel referred to Exhibit 13 and asked for further explanation. Marc LaFerrier, Director of Planning and Zoning, showed the exhibit, depicting businesses on the west and on the east other businesses which are part of the Tinter report that was presented to the Planning and Zoning Board. The area in blue shows the proposed parking reduction with the library to the south. The methodology supplied by Tinter Associates and reviewed by Keith and Schnars only identifies those properties abutting on the eastern side of the alley and the public parking area. The entire shopping center should be considered in general for good planning and redevelopment. Parking for shops on the west along A-1-A is very limited. Any overflow would fall back to the public parking area.

In response to Commissioner Teel, Mr. LaFerrier said the available parking for the properties on the western portion of the block, facing A-1-A, is so limited that any overflow would have to go to the public parking area. This was not part of the methodology used in the study.

Commissioner Teel said behind the doctor's building is a restaurant that has about 4 to 6 parking spaces. It has just reopened since the hurricane. She asked where those patrons would park. Mr. LaFerrier said that public parking is available along Galt Ocean Drive, limited parking along A-1-A and none in the alley. The obvious choice for additional parking would be the public parking area which is a part of the doctor's parking reduction request. It would not be a close proximity or necessarily a safe choice to seek parking across A-1-A. One is allowed to consider parking within a 700 foot radius for safe passage. There might be parking to the west, but not regarded as safe passage.

Commissioner Teel asked for further explanation of the square footage of the proposed site. Mr. LaFerrier said the data gathering for the Tinter report was done in March, 2006. Through time things changed. In final review vacancies were double-checked. There are additional vacancies of some 7,000 square feet, which were considered in the second Tinter report. When the vacancies are filled, there would be a greater parking demand. The parking supply from the original report and the second stayed the same. The vacancy rate is over 35% at this shopping center. Providing this parking reduction may mean that existing vacancies may not be occupied in the future or at the least it would be more difficult.

Commissioner Moore said the vacancies could also come before the Commission if there is a use change of use. He asked if staff is suggesting the spaces not be allowed for something that may be a speculation as well as a need for reconsideration of their parking. Mr. LaFerrier said his point is that it should be taken into consideration. Commissioner Moore said he is suggesting that consideration be made available to the one that is ready now rather than one that may be ready later. Mr. LaFerrier indicated that would be part of the Commission's final decision.

Commissioner Moore proposed Dr. Taledano promote the use of the trolley in his office; he suggested a sign. Dr. Taledano agreed to do so.

Commissioner Moore asked if the parking meters at that location have a limited amount of time for usage. John Hoelzle, Director of Parking and Fleet Services, said there are a number of meters on the west side; 25 cents per hour with a 3-hour maximum.

Commissioner Moore asked about turnover of the meters. Mr. Hoelzle said there is presently a lot of construction in the area. They are probably not turning as quickly as the merchants would like to see. Commissioner Moore asked for a condition that the City conduct an evaluation of the public parking space turnover. The City should evaluate increasing the meter charge or reducing the maximum time. He asked if Dr. Taledano would consider advertising on the trolley to encourage usage.

Commissioner Teel commented that from every indication she believes that Dr. Taledano is a very ethical and talented doctor. Before this issue came to light, she had been working with the Transportation Management Association on a request by the Galt

Mile for the trolley route to include the Holy Cross Hospital campus. This service will be starting very shortly.

Commissioner Teel referred to Section 4726.A.2 of the ULDR, that says, due to the characteristics of a project and the surrounding area the additional review is needed in order to assure that development standards and criteria have been met and to ensure that the area surrounding the development is protected from the impacts of the development. She felt the Commission should consider the effects on existing and future businesses in the area if this reduction is granted. Also Section 4720.5.C and H speaks to which spaces may be used to provide parking for applicant's property without conflict with the need for public parking and that reducing the required parking will be compatible with and not adversely impact the character and integrity of surrounding properties. She requested that all documents and records from the Planning and Zoning Board meeting held on November 15, 2006 be included in the permanent record of this hearing.

Commissioner Teel quoted from letters received from area merchants. John Paul Schroeder said he has owned his store for almost 40 years and wants some redevelopment on the property and in the area because it is an eyesore, but felt they already have a huge parking problem in the area from December 1st through April 31st. Richard Betaine, a hairdresser felt all the businesses will be seriously impacted on the strip if additional parking is actually needed to accommodate Dr. Taledano's medical center. At the height of the season, his clients must sometimes circle the block several times to locate parking spaces. He disagreed with the parking studies referred to by Mr. Tilbrook. Also Mr. Ralph Andrea, owner of a nearby realty office, spoke in favor of the request. He noted owners could not sell their properties because parking did not exist. There are times, even now with four vacant stores, that there is no parking space. In addition Sandra Fisher, owner of two buildings that hold three businesses in the same block first supported the reduction, but after realizing she had not been told the full story, she rescinded her support. She stated that she has every confidence that the City of Fort Lauderdale requires 30 spaces for a good reason. I cannot foresee there being adequate space for this new medical center when we currently do not have enough available for our current customers.

Commissioner Teel was concerned that the doctor purchased the property with the knowledge that it had deficiencies. It behooves a buyer to make sure what is needed is met by the property or they believe it will not be so difficult to get. He may have been given that assurance. He went through the process and received seven variances from the Board of Adjustment, and an approval vote of 5-4 from the Planning and Zoning Board. There was great concern about the other businesses.

In response to Commissioner Teel, Dr. Taledano indicated that he received a letter from the shopping center owner, requesting he relocate to a different site within the plaza or vacate the premises. He noted that several letters of support were submitted. His office is located at 3701 Galt Ocean Drive since 2001.

Commissioner Teel asked about vacancies north of his facility in the same plaza. Dr. Taledano said that the shop was recently purchased by Morgan Stanley and he understood that they want to bring in high-paying triple-net lease tenants to this location. He received a letter requesting that he consider relocating or vacating the premises. He did not know the terms. He understood that the new owner has submitted plans to the City involving his current location to create a mixed-retail and office space. After

becoming aware of this, he began to seek a site. They looked from Atlantic Boulevard to Bahia Mar, but was not able to locate a free-standing building that would not trigger a parking reduction. He respects the parking reduction concern, but the law provides the ability to grant a parking reduction when in the greater interest of the community.

Commissioner Teel explained she would like to know if there is an opportunity to rent space in the building now. The building for which the parking reduction is being requested was purchased July 22, 2005. Dr. Taledano indicated that is correct. Commissioner Teel noted when the property was purchased, Dr. Taledano was hoping to get a parking reduction of some 80% for two-stories or 68% for one-story. It appears that the landlord where the doctor is presently located has offered him the ability to remain at the site with additional space that is needed. Dr. Taledano indicated it is not clear; they just received a letter this past week.

Commissioner Teel further said that at the present time the business owners in this location have a right to expect the City to protect them from actions that would cause adverse impacts to their businesses. If the doctor's change of use would substantially reduce the parking, it would adversely impact the surrounding merchants. Granting a parking reduction to assist one business at the expense of existing and future businesses is not responsible. When an individual purchases property, it is their responsibility to select a location which meets their unique needs. If one proceeds with the purchase, it must be at his own risk.

Commissioner Teel said that a parking study is a guideline, a snapshot of what occurs during a short period of time. People who operate businesses in the area are the true experts. In the long-term it will be more difficult if the Commission begins to grant parking reductions to this extent and close the door on new businesses coming to the area and rehabilitating it. If all available parking is taken by one business, it is a disservice in the long run for future improvements.

Commissioner Teel said there are other options available, such as renting the building as a general office area which only requires 11 parking spaces. She understood they would be grandfathered in and would not require any additional spaces. There are many uses permitted.

Commissioner Teel urged the Commission to support her in denial of this request. She did not feel the application meets all requirements as detailed in Exhibit 16. There are other accommodations the doctor can make to meet his needs.

Commissioner Rodstrom said there has been a parking problem in this area for years. She asked if anyone has considered underground parking. Mr. Tilbrook said a parking garage would be helpful. The site is only 60' x 80', making it difficult to construct a parking garage.

Commissioner Rodstrom asked about one floor of parking and office space above. Mr. LaFerrier said not many spaces could be yielded, possibly twelve.

Commissioner Moore pointed out that the City supplied parking for businesses in that area. Meters are not just revenue generators, but to turn over parking spaces for the businesses. He commented that the City has done this in other areas. He believed that

an increase in the parking meter charge and addressed the maximum allotted time could be helpful.

Commissioner Moore noted that the City and Broward County have been trying to reduce the necessity for a vehicle. With the new trolley system, there will be cost efficient transportation and assistance to all merchants in that shopping center. He suggested the shopping center owner also promote use of the trolley. He hoped the public interest and availability of transportation and parking review could offer a way of making this project work.

Mayor Naugle said that normally he likes to follow the recommendation of the district commissioner. He recalled a 95% reduction granted on the beach for Casa Blanca. There was a good public purpose. He did not recall ever receiving a complaint for parking. If there is a goal to make the area where they live more like a village and not have to drive clear across town for various needs, it will reduce congestion. He recalled the concern when the hospital closed, however, it probably did not make sense to have a hospital that needed to be evacuated from the barrier island in a hurricane. A medical office is so important to the Galt Ocean Mile residents. It is the most dense area of the City. He agreed with Commissioner Moore that raising the meter charge will reduce usage. This is a need in the community that a well liked physician would like to fulfill. He did not see any parking problems at this time. It is a depressed area. This proposal will make the area vibrant and make the area more like a village. The law allows an exception to be made.

Motion made by Commissioner Teel that to deny the parking reduction request died for lack of a second.

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson to approve the request with the conditions that the doctor would provide advertising space or directional information in his office regarding use of the trolley or other public transportation; that he consider the opportunity of passes being offered for his regular patients; that the City Parking Division evaluate the metered parking provided in the area and consider increasing the cost or lowering the maximum parking time per vehicle in order to encourage turn-over of the parking spaces.

RESOLUTION NO. 07-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PARKING REDUCTION ON PROPERTY LOCATED AT 3465 GALT OCEAN DRIVE IN FORT LAUDERDALE, FLORIDA.

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

PUBLIC HEARINGS

**Rezoning to Utility – Water Re-Pump Station -
301 NW 66 Street – Case 4-Z-05**

(PH-01)

Applicant: Broward County
Location: 301 NW 66 Street
Current Zoning: U Utility

No budgetary impact.

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.

Vice Mayor Hutchinson introduced the ordinance on first reading:

ORDINANCE NO. C-07-06

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM "B-3" TO "U;" PARCEL "A," "1-B PALMDALE PLAT," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 112, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ALONG THE EAST RIGHT-OF-WAY OF THE CSX RAILROAD, ON THE SOUTH SIDE OF MCNAB ROAD, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

Relief From Zoning For Public Purpose Use – Water (PH-02)
Re-Pump Station – Relief From Certain Zoning Regulations –
301 NW 66 Street – Case 88-R-05

Applicant: Broward County
Location: 301 NW 66 Street
Zoning: B-3 Heavy Commercial/Light Industrial Business

No budgetary impact.

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 Moore introduced the ordinance on first reading:

ORDINANCE NO. C-07-07

AN ORDINANCE APPROVING A PUBLIC PURPOSE USE, A POTABLE WATER PUMP STATION, THAT DOES NOT MEET THE SETBACK,

TREE, ARCHITECTURAL, LANDSCAPING AND BUFFERYARD REQUIREMENTS IN A UTILITY ("U") ZONING DISTRICT, WHICH PROPERTY IS MORE FULLY DESCRIBED AS PARCEL "A," "1-B PALMDALE PLAT, " ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 112, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ALONG THE EAST RIGHT-OF-WAY OF THE CSX RAILROAD ON THE SOUTH SIDE OF MCNAB ROAD; 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, Rodstrom and Moore, and Mayor Naugle. NAYS: None.

**Beach Business Improvement District -
Final Assessment**

(PH-03)

No budgetary impact.

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 Moore introduced the following resolution:

RESOLUTION NO. 07-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF BEACH BUSINESS IMPROVEMENT SERVICES IN THE IMPROVEMENT DISTRICT AREA; IMPOSING BEACH BUSINESS IMPROVEMENT ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE ASSESSMENT AREA FOR A PORTION OF THE FISCAL YEAR BEGINNING MAY 1, 2007; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL AND PROVIDING AN EFFECTIVE DATE.

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

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

(PH-04)

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

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 Moore introduced the ordinance on second 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.

ORDINANCES

Amendment to the Pay Plan – Schedule I

(O-01)

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 second 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.

Amend Operating Budget – Fiscal Year 2006-2007 -

(O-02)

Transfer \$5,967.65 – Unused Match Funds – Speedtrap Grant

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

Commissioner Moore introduced the ordinance on the first reading:

ORDINANCE NO. C-07-08

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 IN THE AMOUNT OF \$5,967.95 TO NET ASSETS IN THE GENERAL FUND TO 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.

Sunrise Intracoastal Neighborhood Security District - Abolishment (O-03)

No budgetary impact.

Commissioner Moore introduced the ordinance on the first reading:

ORDINANCE NO. C-07-09

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCINDING ORDINANCE NO. C-88-58, THEREBY DISSOLVING THE SUNRISE INTRACOASTAL NEIGHBORHOOD SECURITY DISTRICT.

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:

Budget Advisory Board	Dennis Cole
Community Appearance Advisory Board	Al Imgrund
Community Services Advisory Board	Jan Beasley
Education Advisory Board	Leola McCoy Gilbert M. Borrero

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 07-27

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.

**Settlement – Velva Turner Et Al V City of Fort
Lauderdale Et Al**

(M-29)

Myles Schlan, representing Legal Aid of Broward County, referred to Item M-29 and expressed disappointment in the City reducing fines but not eliminating them. The process is defective regarding notices. It is a violation of due process. Notices provided with the threat to foreclose on property should be wiped out completely. Legal Aid feels the City is doing this not to help people, but to build revenue. If anyone is experiencing this problem, they should contact Legal Aid immediately. Anyone who has received a threat to foreclose, should not have to pay a fine. Under Florida Law, the City cannot foreclose on homestead property.

Commissioner Moore said there is a process for the public to speak. Advertisement of an ill advised situation is ridiculous. Legal Aid is wasting tax dollars by chasing something they should not. Fort Lauderdale does not take away property, has not taken away property, and does not state they are going to take away property with foreclosure.

In response to Commissioner Moore, the City Attorney said that the City's notice say they may foreclose.

Mayor Naugle indicated that if Mr. Schlan wants to sign up for a citizen presentation, he may do so.

The City Attorney said that if Legal Aid wants to rescind the agreement, he would be happy to do so. He said that they came to a good faith agreement. He found it unprofessional that Legal Aid would come to this meeting and down play the agreement. If Legal Aid does not like it, they should inform the City and they would be happy to rescind it. He would recommend it strongly. He was not happy with the agreement in the first place because he believed the City has paid more than what they should have for what he considers a fishing expedition. He asked if Legal Aid wants to rescind the agreement. Mr. Schlan said he is not in position of authority. Questions could be referred to Sharon Bourassa

There being no other matters to come before the Commission, the meeting was adjourned at 8:14 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk