

**FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
JUNE 5, 2007**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
June 5, 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
Vice Mayor Carlton B. Moore (Arrived at 6:09 p.m.)
Commissioner 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 Sergeant Brian Fitzgerald

Invocation was offered by Dr. Diane Mann, Senior Pastor, 4th Avenue International Worship Center, 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).

Vice Mayor Moore entered the chamber at approximately 6:09 p.m.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel that the minutes of the May 15, 2007 Conference and Regular Meetings and agenda be approved. Roll call showed: YEAS: Commissioners Hutchinson, Teel, and Rodstrom, Vice Mayor Moore, and Mayor Naugle. NAYS: None.

Presentations

- 1. Good "Will" Ambassador Commendation - (PRES-01)**
Will Smyack and Family

Commissioner Teel and the City Commission presented a Good "Will" Ambassador commendation to Will Smyack and his family. Will Smyack thanked everyone for the commendation.

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- 2. Outstanding City Employees (PRES-02)**

Albert Carbon, Director of Public Works, recognized Dave Daley, Safety and Training Specialist, for his work in the Hurricane Preparedness Program and presented him with the STAR Award for June, 2007.

Vice Mayor Moore arrived at the dais at approximately 6:19 p.m.

Assistant Fire Rescue Chief Stephen McInerny honored Lieutenant Troy Lanier as Firefighter for the month of April, 2007. He provided life-saving care to an injured boater and quite possibly saved his life while off duty.

Chief McInerny honored Ashok Verma, Geographical Information Systems Specialist of the Information Technology Services Department, as Employee for the month for June, 2007. Mr. Verma dedicated a great deal of his time and effort over the last year in creating GIS based maps on streets, hydrants and water main sizes.

Assistant Police Chief Sharon Anderson honored Officers Tanisha Stevens and Rosalind Wilson as Officers for the month of June, 2007. They responded to a residential burglary and aided in the arrest of the subjects. The stolen property was returned.

The City Manager recognized Ron Hicks, Director of Economic Development, who is resigning. He elaborated on the impact Mr. Hicks has made over the last two years. Mr. Hicks complimented the City and thanked everyone for all the help and guidance that was given to him during his tenure.

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 – Downtowner Pig Roast and Car Show – Closing South New River Drive

(M-01)

No budgetary impact

A motion authorizing and approving execution of Event Agreement with It's Only Zero's, Inc. for the annual Pig Roast and Car Show on Saturday, June 9, 2007, 8 AM – 10 PM and Sunday, June 10, 2007, 10 AM – 6 PM on South New River Drive and authorizing closing South New River Drive.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0784

Event Agreement – Commodore's Cup (M-02)

No budgetary impact

A motion authorizing and approving execution of Event Agreement with Sea Scouts Ship 814 – Christ of the Abyss, Inc. for Commodore's Cup to be held on Saturday, June 9, 2007, 7 AM – 7 PM at George English Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0863

Event Agreement – Grand Opening of Firehouse Subs (M-03)

No budgetary impact

A motion authorizing and approving execution of an Event Agreement with Two Sub Guys 2, Inc. for Grand Opening of Firehouse Subs to be held on Saturday, June 16, 2007, 11 AM – 2 PM at the Harbor Shops Plaza - SE 16 Street and Cordova Road.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0864

Event Agreement – Beach Baptism (M-04)

No budgetary impact

A motion authorizing and approving execution of an Event Agreement with Flamingo Road Baptist Church, Inc. for Beach Baptisms, to be held on Sundays, June 10 and September 23, 2007, 3 PM – 8 PM at South Beach.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0865

Fire Museum Sprinkler System – Funding Request (M-05)
\$7,372.44

Transfer \$7,372.44 from General Fund Contingencies (FD001/9950) to GEN010101/4299, Other Contributions

A motion approving request of Fire Museum for City contribution in the amount of \$7,372.44 for installation of a sprinkler system and transferring this amount from the General Fund Contingencies.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0915

Budget Public Hearing Dates – Fiscal Year 2007-2008 (M-06)

No budgetary impact

A motion setting the City's Fiscal Year 2007-2008 Budget Public Hearing dates for September 5, 2007 at 6:00 PM and September 18, 2007 at 6:00 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0843

Palm Tree Neon Ring Lights Along Las Olas Boulevard Termination – Maintenance and Revocable License Agreements (M-07)

No budgetary impact

A motion to approve a Termination Agreement for Maintenance and Revocable License Agreements with Las Olas Association for removal of palm tree neon ring lights along Las Olas Boulevard.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0698

Local Option Gas Tax – Interlocal Agreement Amendments - Broward County (M-08)

No budgetary impact

A motion authorizing the proper City Officials to execute amendments to Interlocal Agreements with Broward County for: (1) Original Local Option Gas Tax, (2) Local Option Gas Tax on Motor Fuel for Transit, and (3) Additional Local Option Gas Tax on Motor Fuel.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0880

National Service Industries, Inc. – Revocable License (M-09)

**Former One-Stop Shop – Monitor Groundwater Flow
And Contamination**

No budgetary impact.

A motion authorizing the proper City Officials to execute a revocable license with National Service Industries, Inc. to enter on City-owned property to monitor groundwater flow and contamination – former One-Stop Shop – 300 NW 1 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0839

**Road Transfer Agreement – Broward County (M-10)
NE 6 Street – Sistrunk Boulevard**

No funding appropriation required

A motion authorizing the proper City Officials to execute an agreement with Broward County – road transfer to City – NE 6 Street/Sistrunk Boulevard corridor – NW 19 Avenue to Federal Highway.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0798

**City Commission 2006-2007 Budget – Funds Transfer - (M-11)
\$4,000**

Commission approval to transfer \$4,000 from General Fund Contingencies (FD001/9950) to COM050101/4104 Conferences is requested

A motion transferring \$4,000 from General Fund Contingencies to City Commission 2006-2007 budget.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0887

**Community Development Block Grant Disaster Recovery (M-12)
Initiative – Hurricane Wilma – Home Rehabilitation - \$873,117**

The revenue received will be deposited into Fund 108, SubOb C312. The Index Code will be established when the agreement is executed

A motion: (1) accepting 2005 Community Development Block Grant Disaster Recovery Initiative funds, in the amount of \$873,117; (2) authorizing Community Housing and Development Division to administer Initiative, and (3) authorizing proper City Officials to

execute all necessary documents – assistance to low/very low income residents – home rehabilitation as a result of Hurricane Wilma.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0898

Change Order 2 – Padula and Wadsworth Construction, Inc. - (M-13)
\$68,782.14 – Fire Station 47 Replacement

Transfer \$68,782.14 from Fund 336, Subfund 01, P10363.336, 6599 to Fund 336, Subfund 01, P10766.336, 6599

A motion authorizing Change Order 2 with Padula and Wadsworth Construction, Inc., in the amount of \$68,782.14 and transferring \$68,782.14 to fund change order.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0920

Change Order 3 – West Construction, Inc. - \$74,410.02 (M-14)
Fire Station 53 Emergency Operations Center

Funding continued. \$28,871.09 is budgeted in Fund 468, Subfund 02, P10363.468, 6599 and transfer \$45,538.93 from Fund

A motion authorizing Change Order 3 with West Construction, Inc., in the amount of \$74,410.02 – Fire Station 53 – Emergency Operations Center – Project 10363.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0921

Change Order 2 – Intercounty Engineering Inc. - Credit (M-15)
(\$88,268.67) Group II – Pump Station Rehabilitation & Add 283 Days

Credit Fund 489, Subfund 01, P10545, 489, 6599 in the amount of \$88,268.67

A motion authorizing : (1) Change Order 2 with Intercounty Engineering Inc., in the CREDIT amount of (\$88,268.67) and the addition of 283 non-compensable calendar days to the contract period for additional work – Project 10545 – Group II – Pump Station Rehabilitation, and (2) encumbrance reduction of \$88,268.67 to account for net contract reduction supported in this change order.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0748

Final Adjusting Change Order 1 – General Asphalt Company, Inc. - \$15,589.34 – Executive Airport Runway 13-31 Pave Rehabilitation (M-16)

\$15,589.34 is available in P10632.468, subobject 6599

A motion authorizing the proper City Officials to authorize Final Adjusting Change Order 1, in the amount of \$15,589.34 with General Asphalt Company, Inc. – Executive Airport Runway 13/31 Pavement Rehabilitation and Construct Blast Pads – Project 10632.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0755

Change Order 7 – The Poole and Kent Company - \$127,614.73 & Add 209 Days – Fiveash Water Treatment Plant Upgrades (M-17)

Transfer \$142,928.50 from Water and Sewer Revenue Bonds to Fund 482. Subfund 01, P10387.482, 6599 to fund change order and estimated engineering fees

A motion authorizing: (1) Change Order 7 with The Poole and Kent Coimpany, in the amount of \$127,614.73 for additional work – Fiveash Water Treatment Plat Upgrades Phase I – Project 10387, and (2) transfer \$142,928.50 from Water and Sewer Revenue Bonds to fund this change order and engineering.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0908

Annual Household Hazardous Waste Collection Event One-Year Extension – Joint Participation Agreement – Broward County (M-18)

No budgetary impact

A motion authorizing one-year extension to Joint Participation Agreement with Broward County for 2008 Residential Household Hazardous Waste Collection Event.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0821

Harbordale Neighborhood Capital Improvement Project - (M-19)
Paver Bands – Reject Bid and Re-Bid

No budgetary impact

A motion rejecting all bids received for installation of paver bands in Harbordale Neighborhood – NCIP Project 10928 and authorizing re-bidding.

Recommend: Motion to reject and authorize re-bidding.

Exhibit: Commission Agenda Report 07-0826

2007-08 Annual Contract – Concrete and Paving Stones Repair (M-20)
Reject Bid and Re-Bid

No budgetary impact

A motion rejecting sole bid received for 2007-2008 Annual Concrete and Paving Stones Repair Contract and authorizing re-bidding – Project 11185.

Recommend: Motion to reject and authorize re-bidding.

Exhibit: Commission Agenda Report 07-0860

North Fork New River Park - (M-21)
Reject Bid and Re-Bid

No budgetary impact

A motion rejecting sole bid received for North Fork New River Park Phase II and authorize re-bidding – Project 11017.

Recommend: Motion to reject and authorize re-bidding.

Exhibit: Commission Agenda Report 07-0866

Task Order 07-02 – Hazen and Sawyer, P.C. - \$54,800 (M-22)
Water Use Permitting and Planning Assistance

Transfer \$61,376 from Fund 454, Subfund 01, P11197.454, 6599, to Fund 454, Subfund 01, P10760.454, 6599 to fund the Task Order and estimated Engineering

A motion authorizing the proper City Officials to: (1) execute Task Order 07-02 with Hazen and Sawyer, P.C., in the amount of \$54,800 – assistance with ongoing water use permitting activities – Project 10760, and (2) transfer \$61,376 from Water and Sewer Fund Recap to fund this task order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0672

Task Order 32 – CH2M Hill, Inc. - \$5,426,212 (M-23)
WaterWorks 2011 – Program Management Services

Transfer \$6,077,357.44 from Water and Sewer General Capital Projects Fund 454 to Project 10365.454, Subobject 6599

A motion authorizing the proper City Officials to: (1) execute Task Order 32 with CH2M Hill, Inc., in the amount of \$5,426,212 – program management services for six-month period, in conjunction with WaterWorks 2011 – Project 10365, and (2) transfer \$6,077,357.44 from Water and Sewer General Capital Projects Fund to fund this task order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0845

Task Order 35 – CMTS Florida, LLC. - \$336,189.46 (M-24)
Utility Construction Inspection Services – Riverside Park Basin C

Transfer \$376,532.20 from the Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10578.482, 6599 to fund the task order and estimated engineering fees

A motion authorizing the proper City Officials to: (1) execute Task Order 35 with CMTS Florida, LLC., in the amount of \$336,189.46 – utility construction inspection services for Riverside Park Basin C – Project 10578C, and (2) transfer \$376,532.20 from Water and Sewer Revenue Bonds to fund this task order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0855

Task Order 36 – CMTS Florida, LLC. - \$473,035.35 (M-25)
Utility Construction Inspection Services – Lauderdale Manors

Transfer \$529,799.59 from the Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10517.482, 6599

A motion authorizing: (1) Task Order 36 with CMTS Florida, LLC., in the amount of \$473,035.35 – utility construction inspection services – Lauderdale Manors Phase III Basin A – Project 10517A, and (2) transfer \$529,799.59 from Water and Sewer Revenue Bonds to fund this task order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0856

Task Order 7 – Chen and Associates Consulting Engineers, Inc. (M-26)
Beach Automated Restrooms – Preliminary Design

\$25,259 is budgeted in Fund 106, Subfund 10, P11174.106, Subobject 6599

A motion authorizing Task Order 7 with Chen and Associates Consulting Engineers, Inc., in the amount of \$25,259 – Beach Automated Restrooms – Preliminary Design – Project 11174.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0735

Amendment 1 to Task Order 13 – CMTS Florida, LLC - \$146,088.96 (M-27)
Utility Construction Inspection Services – Sewer Area 4 Basin A

Transfer \$163,619.64 from the Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10507.482, 6599 to fund the amendment and estimated engineering fees

A motion authorizing the proper City Officials to: (1) execute Amendment 1 to Task Order 13 with CMTS Florida, LLC., in the amount of \$146,088.96 – utility construction inspection services – Area 4 Basin A – Project 10507A, and (2) transfer \$163,619.64 from Water and Sewer Revenue Bonds to fund amendment and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0854

Takeover Agreement with the Hanover Insurance Company (M-28)
Wastewater Conveyance System Long-Term Remediation Rehabilitation

No budgetary impact

A motion authorizing the proper City Officials to execute agreement with The Hanover Insurance Company – Wastewater Conveyance System – Long Term Remediation Program Rehabilitation – Project 10968 for their completion of project following default by Nicassio Corporation.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0676

Continuing Contract Award – General Engineering Services (M-29)
Husey-Nicolaides-Garcia-Suarez Associates, Inc.

Funding will be identified on an individual project basis as tasks are authorized

A motion authorizing the proper City Officials to award and execute contract with Hufsey-Nicolaides-Garcia-Suarez Associates, Inc. for General Engineering Services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0840

Contract Award – MGI-Morgan General Mechanical Group, Inc. - (M-30)
\$299,196 – Electrical Wiring, Generator and Switchgears –
Police Headquarters

\$388,356.41 is available in Fund 344, Subfund 01, P10590.344, Subobject 6599

A motion authorizing the proper City Officials to award and execute a contract with MGI-Morgan General Mechanical Group, Inc., in the amount of \$299,196 – installation of electrical wiring, generator and switchgears for Police Headquarters.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0850

Contract Award – Miguel Lopez, Jr., Inc. - \$88,448.90 (M-31)
ADA Compliance – Parking Lots H, V, P and N

\$107,023.17 is available in Fund 461, Subfund 03, P10768.461, Subobject 6599

A motion authorizing the proper City Officials to award and execute contract with Miguel Lopez, Jr., Inc., in the amount of \$88,448.90 – ADA Compliance Sealcoating/Restriping Rehabilitation Parking Lot H – 230 SE 8th Avenue, Lot V – 224 SE 13th Avenue, Lot P – 236 SE 15th Avenue & Lot N – 1009 SE 4th Street – Project 10768(C-F).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0884

Contract Award – Sanalil Construction, Inc. - \$479,500 (M-32)
Holiday Park Activity Center – Air Conditioning

Transfer \$81,960.00 from Fund 328, Subfund 01, P10089.328, 6599 to Fund 328, Subfund 01, P11073.328, 6599 and transfer \$100,000.00 from Fund 331, Subfund 01, P10904.331, 6599 to Fund 331

A motion authorizing the proper City Officials to award and execute contract with Sanalil Construction, Inc., in the amount of \$479,500 – Holiday Park Activity Center Air Conditioning Replacement and Renovation – Project 10089 and transfer \$81,960.00 from Fund 328, \$100,000.00 from Fund 331 and \$46,805.50 from Fund 331 to fund this contract, engineering fees and provide 10% contingency.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0905

Work Order 10578C and Change Order 1 – Riverside Park Basin C (M-33)
Globetec Construction, LLC

Transfer \$6,807.651.54 from the Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10578.482, 6599 to fund the work order, change order and estimated engineering fees

A motion authorizing the proper City Officials to: (1) award and execute Work Order 10578C to Globetec Construction, LLC – General Construction Services Contract 2, in the amount of \$5,812,910.30 for construction of sanitary sewer and water main improvements in Riverside Park Basin C – Project 11070D; (2) Change Order 1, in the amount of \$265,350 for additional items, and (3) transfer \$6,807.651.54 from Water and Sewer Revenue Bonds to fund this work order, change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0745

Work Order 10517A – Foster Marine Contractors, Inc. - (M-34)
\$7,538,680.42 – Change Order 1 – Lauderdale Manors
Phase III Basin A - \$381,834.73

Transfer \$3,568,747.28 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10517.482, 6599, and \$5,302.229.70 from WaterWorks Non-Region SRF Construction Loan #4 to Fund 490

A motion authorizing proper City Officials to: (1) award and execute Work Order 10517A to Foster Marine Contractors, Inc., in the amount of \$7,538,680.42 for construction of sanitary sewer and water main improvements – Lauderdale Manors Phase III Basin A – Project 11070A; (2) rescind Work Order 10517A to Danella Companies, Inc. – Project 10859C; (3) approve Change Order 1, in the amount of \$381,834.73 for additional items, and (4) transfer \$3,568,747.28 from Water & Sewer Revenue Bonds to fund this work order, change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0749

Task Order 27 – Kimley-Horn and Associates, Inc. - \$336,000 (M-35)
Executive Airport Strategic Business Plan – Master Plan

468 01 P11135.6599 for \$483,813 in the Airport’s approved FY 06/07 Capital Improvement Plan

A motion authorizing the proper City Officials to execute Task Order 27 with Kimley-Horn and Associates, Inc., in the amount of \$483,813 – develop Strategic Business Plan – Master Plan for Executive Airport – Project 11135.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0918

Task Order 26 – Kimley-Horn and Associates, Inc. - \$59,200 (M-36)
Executive Airport Noise Compatibility Program

468.01 P10770.468 6599 for \$59,200 under Project 10770 – Noise Improvement Program in the Airport’s approved FY 06/07 Capital Improvement Plan

A motion authorizing the proper City Officials to execute Task Order 26 with Kimley-Horn and Associates, Inc., in the amount of \$59,200 – Review of Noise Compatibility Program Implementation by Harris Miller Miller & Hanson, Inc. – Project 11284.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-0895

CONSENT RESOLUTION

Beach Business Improvement District Advisory Committee (CR-01)

No budgetary impact.

A resolution establishing a Beach Business Improvement District Advisory Committee.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0153

Home Diagnostics, Inc. – Qualified Target Industry (CR-02)

No budgetary impact FY 2006/2007

A resolution approving Home Diagnostics, Inc. as a qualified target industry business and stating that the commitment of local financial support necessary for the target industry business exists.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0928

Dedication of Utility Easement – Florida Power and Light (CR-03)
Peele Dixie Membrane Water Treatment Plant

No budgetary impact

A resolution authorizing proper City Officials to execute a utility easement to Florida Power and Light Company – electrical service to new Peele-Dixie Membrane Water Treatment Plant – Project 10454B.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0846

Fire-Rescue Apparatus Financing - \$4,150,000 (CR-04)
SunTrust Master Lease Program

The estimated annual debt service payment of \$691,642 is budgeted in FIR030101,4373, Fleet O & M – Budgeted in 2008. No current year budgetary impact

A resolution authorizing financing of five pumper trucks, one air/light support vehicle and one aerial ladder truck in the amount of \$4,150,000 through SunTrust Leasing Corporation Master Lease Financing program.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0820

Executive Airport Strategic Business Plan – Master Plan (CR-05)
Update – Florida Department of Transportation

Accepting grant by Resolution Airport 468 01 P11135.468 subobject 6599 \$336,000

A resolution authorizing the proper City Official to approve and execute a Joint Participation Agreement with Florida Department of Transportation to accept \$336,000 for Executive Airport Strategic Business Plan – Master Plan Update – Project 11135.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-0897

PURCHASING AGENDA

Proprietary – Noise Monitor Service Agreement (PUR-01)
Renewal – Executive Airport

\$12,690 is budgeted in Fund 468/Subfund 01/BUS070101/3401 Computer Maintenance

Four-year renewal – noise monitoring services at Executive Airport is being presented for approval by the Executive Airport, Business Enterprises Department.

Recommend: Motion to approve.

Vendor: ERA Systems Corporation
Alexandria, VA

Amount: \$12,690.00 (one-year total)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-0750

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

775-9747 – School Crossing Guard Services (PUR-02)

Current year impact \$103,404 budgeted in General Fund 001-01-BUS010101-3219

Award three-year contract for school crossing guard services is being presented for approval by Business Enterprises Department.

Recommend: Motion to approve.

Vendor: Adecco USA, Inc..
Melville, NY

Amount: \$744,735.00 (estimated annual total)

Bids Solicited/Rec'd: 78/5

Exhibit: Commission Agenda Report 07-0879

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

Replace Two Hewlett Packard Unix Servers and Transfer (PUR-03)
\$1,501 – Hardware, Software and Support Services

Transfer \$1,501 from Fund 331, Subfund 01, P00414.331-6599 to P11198.331 Fund 331, Subfund 01, 6599 and \$155,000.00 is budgeted in Fund 331, Subfund and

\$155,000.00 is budgeted in Fund 331, subfund 01, P11198.331, 6599. Funds of \$10,258 are available in ITS010301-3199 for services associated with 3rd server (not part of CIP Project)

Purchase replacement hardware, software, and support services – servers – transfer \$1,501 is being presented for approval by the Information Technology Services Department.

Recommend: Motion to approve.

Vendor: Hewlett Packard Company
Palo Alto, CA

Amount: \$166,759.00 (estimated-not to exceed)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-0779

The Procurement Services Department has reviewed this item and recommends awarding from the Western States Contracting Alliance (WSCA) Contract.

773-9769 – Radio Communications Power Supplies (PUR-04)

Funds are budgeted in Fund 581/Subfund 01 ITS020101-3199 (Other Prf. Svcs) \$24,380, ITS020101-3299 (Other Services) \$500 & ITS020101-3999

Purchase replacement UPS and batteries for City's 800 MHz Radio Communication System is being presented by the Information Technology Services Department.

Recommend: Motion to approve.

Vendor: Northstar Technical Services, Inc.
Hollywood, FL

Amount: \$30,980.00

Bids Solicited/Rec'd: 1003/5

Exhibit: Commission Agenda Report 07-0900

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

172-9739 – Police Uniforms (PUR-05)

GF001/01 \$20,056.75; POL020406-3649 (Uniforms), \$7,000: POL030411-3949 (Uniforms), Parking Fund 461/01 \$8,000: POL030412-3949 (Uniforms) = \$35,056.75

Two, two-year contracts for purchase of police uniforms is being presented for approval by the Police Department.

Recommend: Motion to approve.

Vendor: Harrison Uniform Company

Cincinnati, OH
 Gold Nugget, Inc. dba Argo Uniform
 Hallandale, FL
Amount: \$35,056.75 (estimate)
Bids Solicited/Rec'd: 383/4
Exhibit: Commission Agenda Report 07-0835

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

Proprietary – Strainer Parts (PUR-06)
George T. Lohmeyer Wastewater Treatment Facility

Transfer \$41,341.44 from Fund 451, Subfund 02.P00401, 6599 to P10655.451, Fund 451, Subfund 01, 6599

Purchase replacement sludge transfer pump to George T. Lohmeyer Wastewater Treatment Facility is being presented for approval by Public Works Department.

Recommend: Motion to approve.
Vendor: Tom Evans Environmental, Inc.
 Lakeland, FL
Amount: \$36,912.00 (estimated).
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 07-0717

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

Proprietary – Decorative Street Sign Posts, Fixtures (PUR-07)
Bollard and Associated Parts

\$7,507.00 is available in Fund 331, Subfund 01, P00437.331, Subobject 6599 and \$3,681.00 is available in Fund 331, Subfund 01, P10936.331, Subobject 6599

Purchase of decorative street sign posts, fixtures, bollard, and associated parts is being presented for approval by the Public Works Department.

Recommend: Motion to approve.
Vendor: Municipal Lighting Systems, Inc.
 Miami, FL
Amount: \$11,188.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 07-0859

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

Proprietary – Strainer Parts (PUR-08)
George T. Lohmeyer Wastewater Treatment Facility

\$13,416.14 is budgeted in Fund 461, Subfund 01, PBS670502, subobject 3404 (components/parts)

Purchase of strainer parts for the George T. Lohmeyer Wastewater Treatment Facility is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Chem-Quip, Inc. c/o R.P. Adams Co., Inc.
Lakeland, FL

Amount: \$13,416.14 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-0910

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

452-9149 – Polymer – Wastewater Treatment – Contract (PUR-09)
Extension – George T. Lohmeyer Wastewater Treatment Facility

\$212,000 is budgeted in Fund 451, Subfund 01, PBS670503, 3713

One-year contract extension for the purchase of polymer is being presented for approval by the Procurement Services Department.

Recommend: Motion to approve.

Vendor: Polydyne, Inc.
Riceboro, GA

Amount: \$212,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-0861

The Procurement Services Department has reviewed this item and agrees with the one-year contract extension.

572-9711 Enclosed Service Body Truck – Vehicle Replacement (PUR-10)

\$82,995.00 is budgeted in PAR030101-6416 Fund 583/01 Vehicles (see attached spreadsheet for breakdown)

Purchase of enclosed service body truck, vehicle replacement is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Rechten International Trucks, Inc.
Miami, FL

Amount: \$82,995.00

Bids Solicited/Rec'd: 217/3

Exhibit: Commission Agenda Report 07-0807

The Procurement Services Department has reviewed this item and recommends approval to the low bidder.

John Deere Tractors – Vehicle Replacements (PUR-11)

\$122,446.25 is budgeted in PAR030101-6416 Vehicles – Fund 583/01 (see attached spreadsheet for breakdown)

Purchase of three John Deere Tractor vehicle replacements that were included in 2006-2007 Fleet Plan is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Highland Turf and Tractor, Inc.
Ocala, FL

Amount: \$122,446.25

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-0896

The Procurement Services Department has reviewed this item and recommends approval of purchase from the Florida Sheriff's Contract.

20-Ton Trailer – Vehicle Replacement (PUR-12)

\$14,019.00 is budgeted in PAR030101-6416 Fund 583/01 Vehicles (see attached spreadsheet for breakdown)

Purchase of one 20-ton trailer vehicle replacement included in 2006-2007 Fleet Plan is being presented by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Nortrax Equipment Co. Southeast, L.L.C.
Tampa, FL

Amount: \$14,019.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-0911

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

574-9719 – Multi-Space Parking Meters**(PUR-13)**

Purchase thirty-seven multi-space parking meters is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Bytewise Solutions, Inc.
Hiialeah, FL

Amount: \$680,570.00

Bids Solicited/Rec'd: 238/5

Exhibit: Commission Agenda Report 07-0889

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

B-07-32 – Co-Op – Horticultural Chemicals**(PUR-14)**

\$34,916.97 is budgeted in PKR061701 subobject 3913 horticultural supplies, GF 001, subfund 01. Funds available object level 30 division 06-continued

A one-year contract for purchase of horticultural chemicals is being presented for approval by Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Various Vendors

Amount: per unit price

Bids Solicited/Rec'd: 20/11

Exhibit: Commission Agenda Report 07-0842

The Procurement Services Department has reviewed this item and recommends approval from the Southeast Florida Governmental Purchasing Cooperative Group contract.

573-9743 – Rental of Bounce Houses, Inflatables and Outdoor Games**(PUR-15)**

\$37,655 in GF 001/01 PKR033201-3310, Equip Rent & \$15,000 in GF 001/01 PKR033401-3310, Equip Rent – Funds available under fund/division/character GF PKR03 Char 30, specifically, PKR033401-3310, Equipment Rental

One-year contract for rental of bounce houses, inflatables and other various outdoor games is being presented by Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: All Star Events, Inc.
Miami, FL
Amount: \$52,655.00
Bids Solicited/Rec'd: 80/3
Exhibit: Commission Agenda Report 07-0849

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

572-9726 – Irrigation Supplies

(PUR-16)

\$50,000 is budgeted under P10774.331-6599 Median Road Landscaping (Beach) approved by Commission in CIP plan in May – funds not shown in famis yet. \$19,000 is budgeted in PKR061701-3434 - \$11,000 is budgeted in PRK060201-3434

One-year contract for purchase of irrigation supplies is being presented for approval by Parks and Recreation Department.

Recommend: Motion to approve.
Vendor: Various vendors
Amount: per unit price
Bids Solicited/Rec'd: 138/5
Exhibit: Commission Agenda Report 07-0883

The Procurement Services Department has reviewed this item and recommends awarding to the low bidders.

562-9330 – Plant Material – Beach Medians

(PUR-17)

\$112,500 available under P10774.106-6599 A1A Median Improvements, CRA Tax Increment Fund & \$112,500 under P10774.331-6599, Median Road Landscaping

Approval to increase expenditure of existing contract to supply and install plants in beach medians is being presented for approval by Parks and Recreation Department.

Recommend: Motion to approve.
Vendor: Landscape Service Professionals, Inc.
Tamarac, FL
Amount: \$225,000.00
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 07-0890

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

562-9559-1 – Increase Expenditure for Trees – Beach Medians (PUR-18)

\$10,000 available under P10774.106-6599 A1A Median Improvements, CRA Tax Increment Fund & \$10,000 under P10774.331-6599, Median Road Landscaping

Increase expenditure of existing contract for purchase of trees for the beach medians is being presented for approval by Parks and Recreation Department.

- Recommend:** Motion to approve.
- Vendor:** Gardening Angel Nursery, Inc.
Parkland, FL
- Amount:** \$20,000.00
- Bids Solicited/Rec'd:** N/A
- Exhibit:** Commission Agenda Report 07-0901

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

CONSENT RESOLUTIONS

Beach Business Improvement District Advisory Committee (CR-01)

No budgetary impact.

RESOLUTION NO. 07-114

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING A COMMITTEE TO BE KNOWN AS THE "BEACH BUSINESS IMPROVEMENT DISTRICT ADVISORY COMMITTEE;" PROVIDING FOR THE NUMBER OF COMMITTEE MEMBERS AND THE CRITERIA FOR COMMITTEE MEMBERSHIP AND PROVIDING FOR THE DUTIES AND THE DURATION OF THE COMMITTEE.

Home Diagnostics, Inc. – Qualified Target Industry (CR-02)

No budgetary impact FY 2006/2007

RESOLUTION NO. 07-115

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RECOMMENDING THAT HOME DIAGNOSTICS, INC., BE APPROVED AS A QUALIFIED APPLICANT PURSUANT TO SECTION 288.106, FLORIDA STATUTES, AND

PROVIDING THAT FUNDS IN THE AMOUNT OF \$40,500 ARE AVAILABLE AS LOCAL PARTICIPATION IN THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM.

Dedication of Utility Easement – Florida Power and Light (CR-03)
Peele Dixie Membrane Water Treatment Plant

No budgetary impact

RESOLUTION NO. 07-116

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION AND DELIVERY BY THE PROPER CITY OFFICIALS OF AN EASEMENT DEED GRANTING UTILITY EASEMENT RIGHTS TO FLORIDA POWER AND LIGHT COMPANY FOR THE PLACEMENT OF ELECTRICAL UTILITY FACILITIES WITHIN AN EASEMENT AREA MORE PARTICULARLY DESCRIBED BELOW.

Fire-Rescue Apparatus Financing - \$4,150,000 (CR-04)
SunTrust Master Lease Program

The estimated annual debt service payment of \$691,642 is budgeted in FIR030101,4373, Fleet O & M – Budgeted in 2008. No current year budgetary impact

RESOLUTION NO. 07-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE USE OF THE SUNTRUST LEASING CORPORATION MASTER LEASE FINANCE PROGRAM TO FINANCE THE PURCHASE OF FIVE PUMPER TRUCKS, ONE AIR/LIGHT SUPPORT VEHICLE AND ONE AERIAL/LADDER TRUCK.

Executive Airport Strategic Business Plan – Master Plan (CR-05)
Update – Florida Department of Transportation

Accepting grant by Resolution Airport 468 01 P11135.468 subobject 6599 \$336,000

RESOLUTION NO. 07-117

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION JOINT PARTICIPATION AGREEMENT (JPA) WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (FDOT), FOR THE PURPOSE OF UPDATING THE MASTER PLAN AT THE FORT LAUDERDALE EXECUTIVE AIRPORT FO THE APPROXIMATE COST OF \$420,000 OF

WHICH FDOT WILL CONTRIBUTE UP TO EIGHTY PERCENT (80%), UP TO A MAXIMUM OF THREE HUNDRED THIRTY SIX THOUSAND DOLLARS (\$336,000) (financial Project No.: 421713-1-94-01).

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

Motion made by Commissioner Hutchinson and seconded by Vice Mayor Moore that Consent Agenda Items M-05, M-08, M-09, M-10, M-11, M-13, M-14, M-17, M-19, M-20, M-21, M-23, M-26, M-29, M-33, M-34, CR-02, CR-04, PUR- 05, PUR-07, PUR-10, PUR-11, PUR-12, PUR-13, and PUR-15 be deleted from the consent agenda and considered separately, and that all remaining consent agenda items be approved as recommended.

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

Vice Mayor Moore said that there is a group of students present tonight regarding Item O-10. He asked if that item could be heard first.

ORDINANCES

Onikusu Judo Club – Law Enforcement Trust Funds - (O-10)
\$15,000 – Law Enforcement Trust Funds

Vice Mayor Moore introduced the ordinance on the first reading:

ORDINANCE NO. C-07-53

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 UNDESIGNATED FUND BALANCES IN THE AMOUNT OF \$15,000.00 FROM THE LAW ENFORCEMENT CONFISCATED PROPERTY FUND TO POLICE CONFISCATED PROPERTY-OPERATIONS TO DISBURSE SUCH FUNDS.

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

Fire Museum Sprinkler System – Funding Request - \$7,372.44 (M-05)

Commissioner Hutchinson thought this had been approved on April 17th. Allyson Love, Director of Office and Management and Budget, said at that time the Commission was not specific in terms of the funding requirement., where the funds are coming from and going to.

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

**Local Option Gas Tax – Interlocal Agreement Amendments
Broward County**

(M-08)

Vice Mayor Moore believed this city creates more traffic and delivery of services, therefore, he felt the City should attempt to obtain a higher share of this tax. He listed various examples supporting his position. He also noted that the County does not assist the City with the beaches. He asked if the City could find a methodology, work with the Broward Delegation and Broward County, to see if there could be a change in strategy. In response to Mayor Naugle, Vice Mayor Moore will meet with the City Manager to discuss this matter and bring it back on a conference agenda. **Motion** made by Commissioner Hutchinson and seconded by Vice Mayor Moore to approve the item as presented. Roll call showed: YEAS: Commissioners Hutchinson, Teel and Rodstrom, Vice Mayor Moore, and Mayor Naugle. NAYS: None.

**National Service Industries, Inc. – Revocable License
Former One-Stop Shop – Monitor Groundwater Flow
And Contamination**

(M-09)

Commissioner Rodstrom asked about checking for contamination and so forth for the new One-Stop Shop. Vice Mayor Moore said there is a significant difference between the two locations. The new site has been cleaned. Tests were done before construction and remediations found were put in place. The State is doing an off-site contamination evaluation and found 3-4 areas within the neighborhood that require remediation, but not on the site owned by the City. He urged that this item be brought before the Commission and that the City stay up to date.

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

**Road Transfer Agreement – Broward County
NE 6 Street – Sistrunk Boulevard**

(M-10)

Commissioner Rodstrom said there is no mention in the agreement of the three lanes,. She felt it should be added. On page 3, it provides that before commencing any design changes of whatever nature to the road, such as lane reduction or traffic calming measures, municipalities shall be required to obtain in writing the approval and consent of the County. Without language in the agreement that the City is approving, they would still have to the County and make this request. At that point, the County could refuse.

Alfred Battle, Community Redevelopment Agency Director, Northwest Progresso area, said while three-lane design is not specifically mentioned in the agreement, it was crafted around the compromise which is the three-lane conceptual design. It could be

included for clarification, but the conceptual drawing has been provided to the Commission in their back-up materials. Mayor Naugle suggested language be inserted, providing that the City Commission approved the three-lane concept.

Commissioner Rodstrom asked about the use restrictions. Mr. Battle said when the County was questioned on that language, they were not able to provide clarification either. It has to do with a change in capacity. The agreement provides that the roadway improvements would go from four to three lanes; certain improvements would be agreed upon between the City and the County and certain costs contributed by the County; along with long-term maintenance of the roadway being transferred to the City.

Vice Mayor Moore asked that they also include the streetscape rendering as an exhibit.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Moore to approve the item with an amendment to include in the agreement that the City Commission agrees to the three-lane concept and the streetscape rendering be added as an exhibit.

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

City Commission 2006-2007 Budget – Funds (M-11)
Transfer - \$4,000

Commissioner Rodstrom wanted to make note because of what is happening at the State level, there should be a tightening of the belt on everyone's part.

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

Change Order 2 – Padula and Wadsworth Construction, Inc. (M-13)
\$68,782.14 – Fire Station 47 Replacement

Commissioner Rodstrom asked about the fire bond issue and whether it will be possible to complete all of the fire stations with change orders. Albert Carbon, Director of Public Works, said he is currently completing an evaluation as requested by the Commission. He noted that Station 47 is partially being funded by General Fund CIP and Station 53 is partially funded by Airport and Florida Department of Transportation monies, and thus not entirely by the bond program.

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

Change Order 3 – West Construction, Inc. - \$74,410.02 (M-14)
Fire Station 53 Emergency Operations Center

Commissioner Rodstrom said she removed this item from the consent agenda for the same reason as noted in Item M-13.

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

Change Order 7 – The Poole and Kent Company - \$127,614.73 & Add 209 Days – Fiveash Water Treatment Plant Upgrades (M-17)

Commissioner Rodstrom said the change order appears to be 9% of the original contract and she asked what is the industry standard for change orders. Paul Bohlander, Assistant Utilities and Services Director, said they have been using 6% industry standard. This project included some improvements that were added as a matter of timing, convenience and opportunity; the treatment plant windows were storm-hardened which was about 3% of the 9%.

Commissioner Rodstrom felt change orders are synonymous with cost overruns. If the City awards the low bid and then adds change orders, the City is no longer benefiting from awarding the low bid. She asked why the City Auditor and the Legal Department do not sit in on negotiations. Mr. Bohlander said that has never been done but he was not sure why.

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

Harbordale Neighborhood Capital Improvement Project - Paver Bands – Reject Bid and Re-Bid (M-19)

2007-08 Annual Contract – Concrete and Paving Stones Repair Reject Bid and Re-Bid (M-20)

Vice Mayor Moore wanted to address both M-19 and M-20 together. He recalled a conference discussion on pavers and was concerned that the City is still implementing pavers when they have seen that pavers compromise the quality of the roadway as well as vehicles using such roads, along with impairing appearance. He hoped that staff would meet with this community to see if another method could be used.

Motion made by Vice Mayor Moore and seconded by Commissioner Hutchinson to approve Item M-19 as presented. Roll call showed: YEAS: Commissioners Hutchinson, Teel and Rodstrom, Vice Mayor Moore, and Mayor Naugle. NAYS: None.

Motion made by Vice Mayor Moore and seconded by Commissioner Hutchinson to approve Item M-20 as presented. Roll call showed: YEAS: Commissioners Hutchinson, Teel and Rodstrom, Vice Mayor Moore, and Mayor Naugle. NAYS: None.

North Fork New River Park - (M-21)

Reject Bid and Re-Bid

Vice Mayor Moore asked if there was more than one bid. Peter Partington, City Engineer, said there were two bids; one was late. Both bids were substantially above the estimate and way above the grant. Basically they are unaffordable. Mayor Naugle said that one of the bids was late due to the fires in North Florida; roads were closed. In answer to Vice Mayor Moore, Mr. Partington said the City's estimate was in the area of \$80,000.

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

Task Order 32 – CH2M Hill, Inc. - \$5,426,212 (M-23)
WaterWorks 2011 – Program Management Services

Commissioner Rodstrom said this is \$10 million per year for program management. She did not think they are doing as good a job as she would like. She wanted to see more statistics. They may have been the low bidder, but if there are change orders, there is a problem. She asked if this is \$10 million per year based on the original contracted amount for the bond issue. Mayor Naugle did not think they were the low bidder. This is professional services, and therefore, based on qualifications. Albert Carbon, Director of Public Works, said this is based on the current project estimate and their commitment to provide the service for the amount indicated in the back-up materials. Commissioner Rodstrom asked if that is regardless of the number of change orders and how far out the bond issue goes. Mr. Carbon indicated their commitment is noted in the backup materials.

Mayor Naugle said if workers are installing sewer pipes and find some badly deteriorated water pipes, it would be better to have a change order to replace them than to ignore it and wait for it to explode and dig it back up. Commissioner Rodstrom explained she is talking about their management services. Mayor Naugle indicated they are managing people who are out there doing it.

Commissioner Rodstrom asked if they are going to stay under \$60 million even if the WaterWorks project goes to a billion dollars. Mr. Carbon indicated yes, they have made that commitment.

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

Task Order 7 – Chen and Associates Consulting Engineers, Inc. – Beach Automated Restrooms – Preliminary Design (M-26)

Vice Mayor Moore felt public restrooms should be where public eyes could be on them. He did not like the idea that the facility locks for 10 minutes. He was concerned about the proprietary obligations the City would have with this company in delivery of such

service. He felt the City will end up having to purchase the supplies from the company as well as being obligated to the company for maintenance. He was opposed to the item.

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

Continuing Contract Award – General Engineering Services (M-29)
Hufsey-Nicolaides-Garcia-Suarez Associates, Inc.

Commissioner Rodstrom asked about local firms that could perform this job. Peter Partington, City Engineer, said this contract was solicited by means of the CCNA process. This is the top-ranked company. Mayor Naugle said that the City does not have a local preference program. Mr. Partington explained this item is to bring the firm onboard. The City may use them for different tasks. For this scope of work, this firm ranked number one.

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

Work Order 10578C and Change Order 1 – Riverside (M-33)
Park Basin C – Globetec Construction, LLC

Commissioner Rodstrom wanted to vote no.

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

Work Order 10517A – Foster Marine Contractors, Inc. - (M-34)
\$7,538,680.42 – Change Order 1 – Lauderdale Manors
Phase III Basin A - \$381,834.73

Commissioner Rodstrom said on tonight's agenda there is approximately \$1 million in change orders for various water and utility issues. She was opposed to the item.

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

Home Diagnostics, Inc. – Qualified Target Industry (CR-02)

Commissioner Rodstrom was opposed to the item.

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

Fire-Rescue Apparatus Financing - \$4,150,000
SunTrust Master Lease Program

(CR-04)

Commissioner Rodstrom was concerned about financing and purchasing new equipment when the City is waiting on what occurs at the State level regarding taxes. It equates to a lot of jobs. John Hoelzle, Director of Parking and Fleet Services, said these trucks are '98 models. It would take about 1½ years before they are delivered and placed in service. At that time, they will replace units would be moved down into the reserve units. The oldest of the reserves would then be retired and sold. It is important to move the units now before they get too old. Over \$200,000 has been spent to date maintaining these five units that are to be replaced.

Mayor Naugle said that the City's standard is ten years for fire apparatus. After that point, they could become unreliable. If someone is having a heart attack and there is a breakdown, it is not a good consequence.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Moore to defer the item until July 17, 2007 at 6:00 p.m.

Vice Mayor Moore was concerned about the purchase. Based on the State's actions, they are going to have to look at everything. He did not feel the pump trucks are as necessary as they were in the past based on the type of fire apparatus being put in buildings. Based on the revenue generated from an EMS type of vehicle, he felt the item should be deferred. The City should review how it will manage the workforce.

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

172-9739 – Police Uniforms

(PUR-05)

Vice Mayor Moore removed them item from the consent agenda.

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

**Proprietary – Decorative Street Sign Posts, Fixtures,
Bollard and Associated Parts**

(PUR-07)

Vice Mayor Moore asked if the decorative street signs would be city-wide. Kirk Buffington, Director of Procurement Services, said these are not city-wide; they are primarily in certain neighborhoods where they have been adopted in years past. Peter Partington, City Engineer, said these are predominantly for Harbor Inlet, Harbor Isles, and Bridge Side Square.

Commissioner Hutchinson said they were assessment projects.

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

572-9711 Enclosed Service Body Truck – Vehicle Replacement (PUR-10)

Commissioner Rodstrom asked if this purchase could be deferred until next year.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Moore to defer this item until July 17, 2007 at 6:00 p.m.

John Hoelzle, Director of Parking and Fleet Services, said these vehicles are in the fleet plan previously approved and are scheduled for replacement. It is necessary to replace these vehicles at this time or the proposal would not have been presented. The money is already available in the Replacement Reserve Fund.

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

John Deere Tractors – Vehicle Replacements (PUR-11)

Commissioner Rodstrom wanted to defer this matter also for the same reason.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Moore to defer this matter until July 17, 2007 at 6:00 p.m. Roll call showed: YEAS: Commissioner Rodstrom, Vice Mayor Moore, and Mayor Naugle. NAYS: Commissioners Hutchinson and Teel.

20-Ton Trailer – Vehicle Replacement (PUR-12)

Commissioner Rodstrom wanted to defer this matter also for the same reason.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Moore to defer this matter until July 17, 2007 at 6:00 p.m. Roll call showed: YEAS: Commissioner Rodstrom, Vice Mayor Moore, and Mayor Naugle. NAYS: Commissioners Hutchinson and Teel.

574-9719 – Multi-Space Parking Meters (PUR-13)

Commissioner Rodstrom asked if the new parking decal coupled with the meters would be violating the beach renourishment program criteria that the beach be accessible to all residents. Mayor Naugle said one is to use the beach and the other is to park at the beach. Everyone can use the beach and need not necessarily drive to the beach.

The City Attorney said he checked with three different state agencies in an attempt to find out what the impact would be on the municipality's share of any beach renourishment program and no one could say other than the fact that the parking has to be equally accessible both to residents and non-residents.

Commissioner Rodstrom asked if that meant equally accessible as far as price. The City Attorney confirmed that as correct and said it might mean that the City would have to make an economic decision in the future if the beach renourishment project gets funded. There was funding previously for Hollywood and Fort Lauderdale, but all the money was spent in Hollywood.

Commissioner Rodstrom did not want to jeopardize any opportunity for beach renourishment.

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

573-9743 – Rental of Bounce Houses, Inflatables and Outdoor Games (PUR-15)

Vice Mayor Moore asked what is the estimated cost. Kirk Buffington, Procurement Services Director, said it depends on how many times the contractor is used; it is a line item driven. Phil Thornburg, Director of Parks and Recreation, said it is dependent on usage; each item costs a different amount. It is for summer programs, after school and special events. There could be a cut back if necessary. Some of the programs are fee based.

Vice Mayor Moore noted there are a number of parks where there are no programs. This incentive should be used to draw people to those parks to encourage enrollment of children who have no guidance in summer programs .

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

RESOLUTIONS

Lot Clearing and Cleaning (R-01)
Special Assessment Liens for Associated Cost

No budgetary impact

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 07-105

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

Appeal – Planning & Zoning Board Decision – The Sails (R-02)
Site Plan & Conditional Use – Hotel/Office/Marina – Case 79-R-06

No budgetary impact

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

ALL INDIVIDUALS WISHING TO SPEAK ON THIS MATTER WERE SWORN.

Mayor Naugle said that this is an appeal from a decision of the Planning and Zoning Board denying an application for a hotel, office and marina development. The City Commission adopted Resolution 07-66 on April 17, 2007 to set a date to conduct a de novo hearing to review this application for a development permit. This is a quasi-judicial matter and anyone wishing to speak on this matter should be sworn in.

Jenni Morejon, Planning and Zoning, said a conditional use permit is requested to construct a development of 350 hotel rooms with approximately 55,000 square feet of commercial use, including two restaurants, two bars, a fitness center and a spa, along with 34,750 square feet of office space including 45,666 square feet of meeting room space and a marina with 150 dry dock boat slips as well as 30 wet slips. The applicant is also proposing a 30% parking reduction or 317 spaces less the required 1,001 spaces per code. She noted where the property is located and its B-1 zoning. On September 12, 2006 the Development Review Committee reviewed the project and on October 23, 2006 the Historic Preservation Board approved the request by the Broward Trust for Historic Preservation regarding the designation of the entrance structure of the former Americana Motor Inn. Designation of the structure is currently being scheduled for July 3rd. On November 2, 2006 the Marine Advisory Board approved the marine component of the project. On February 28, 2007 the Planning and Zoning Board denied the Applicant's request for a conditional use permit and on April 17, 2007 the Commission approved the Applicant's request for an appeal of the Board's denial, voting to set a public hearing for tonight to review the application pursuant to ULDR, Section 47.26.

Ms. Morejon further said that due to the site's location on the waterway and east of the Intracoastal Waterway, it is adjacency to residential properties and uses proposed, it is

contingent upon meeting criteria for neighborhood, waterway use and community compatibility and for the conditional use permit. Some reasons for the Planning and Zoning Board's denial were scale and mass of the structure in context of the neighborhood compatibility criteria, impacts to existing view corridors based on community compatibility criteria, and potential parking and traffic impacts that they felt were not adequately addressed.

Ms. Morejon said if the Commission approves this proposal, staff provided conditions for approval in the back-up.

Vice Mayor Moore returned to the meeting at approximately 7:02 p.m.

Ron Mastriana, representing the Applicant, said the action taken this evening will touch the lives of residents and the tourists who come to this City every year. It will impact the marine industry. The Sails is the first structure one will see when entering the city. It is the only place that provides a 400' dock with a 25' depth that will accommodate mega yachts. The Best Western Hotel was purchased with the desire to develop the marina, hotel and dry storage, but the neighborhood and the City suggested that the entire property be developed in a unified plan. Their desire was never to maximize the use of the site. The proposed pad would only occupy 36% of the site. The parking will be incorporated within the site. Therefore he requested removal of the shared parking and reduction in parking from the proposal. It is common to incorporate mixed uses within a project, reducing traffic volume and the need for excess parking.

He showed an aerial photograph of the project area.

Mr. Mastriana said the request is a reduction in retail and office, increase of 9,000 in meeting space and dry storage. In response to Mr. LaFerrier's March letter and the Planning staff's second memorandum, they reduced the meeting space to 18,090 square feet with parking for everything within that area. They met with the neighborhood approximately 20 times. They wanted a view of the water from the peak of the bridge. They asked that the tower of the hotel be aligned with the Point of the Americas, and other structures half a mile away. This view has been preserved. A PowerPoint presentation was made. A copy of the slides is attached to these minutes.

Cecelia Ward, representing the Applicant, said that she has addressed all planning and zoning comments cited by DRC in written form, which was provided for the February 28 Planning & Zoning Board hearing and to the Commission. Therefore, her comments will only be highlights. She reviewed a slide presentation. A copy of the slides is attached to these minutes. The site is designated commercial land use on the City's Future Land Use Map. She quoted the Comprehensive Plan as to intended uses in commercial. The project does everything suggested by the intended uses. The goals, policies, and objectives of the Comprehensive Plan support the development and are detailed in her written submittal. She noted one example in Policy 24.2 that indicates we are to utilize design criteria and development standards for marinas and boatyards as a method to protect and enhance water quality, as well as the aesthetic and recreational value of the City's waterways. She quoted from information the Applicant provided that demonstrates how the project complies with this policy: "The marine-related use of the development site provides for renovation of the existing 40 wet boat slips and provides the 30 newly renovated slips. There are five existing dry storage spaces. We are replacing those with the dry stack boat storage facility which is completely enclosed and

provides for up to 150 boats. The dry stack storage facility will lift boats by the Wiggins Lift Marina System which is the most modern and up-to-date boatlift system and the system has been reviewed by the Marine Advisory Board, along with all the other marine-related components of the project and the Board unanimously approved all the marine-related aspects of the project including circulation and movement of the vessels. The number one industry in Fort Lauderdale is the boating industry and it provides for more employment and dollars to the economy than any other use. This facility improves the area by providing dockage to accommodate larger yachts, and according to the Marine Industry Association users of the facility spend up to \$300,000 on average per visit to the area." She indicated another way that the Applicant demonstrates compliance with just this one policy is the enhancement of water quality. The dry stack storage facility reduces the amount of contact time between pesticide containing bottom paints in the water. Dry stack boats do not accumulate marine growth, therefore, the associated need to scrape and paint is eliminated. Dry stack boats are less likely to accumulate oily water in their bilges, and therefore, less likely to pollute the environment. Dry stack storage minimizes the need for dredging and minimizes water quality and flushing concerns. Staff's report says their findings are supported by this policy with no further analysis. With respect to compatibility, it is necessary at a minimum to review the land use that surrounds the site. The project is in compliance with Future Land Use Element, Goal 1, Objective 4 and compatibility requirements of the Code. The project is surrounded on three sides by commercial, industrial and high density residential. She emphasized the intensity of the residential use and that of Port Everglades. Staff in their report neglects the fundamental basis of the zoning district, which she quoted. The proposed development uses, provided in the B-1 district, are all dependent on high visibility and accessibility to a major traffic way, the 17th Street Causeway. The elevation of the 17th Street Causeway dramatically affected the ability for the existing hotel, retail and office uses to survive because they were no longer visible and easily accessible to 17th Street. B-1 is not intended for purely neighborhood commercial, which is the intent of the Community Business District, nor is it intended for more intense uses such as storage, warehousing or repair shops that are permitted in the B-2, B-3 and Industrial Districts. Three-times the amount of required landscaping is provided, 55,000, and 115,000 square feet of landscaped area on the roofs. This world recognized planning tool was not mentioned by staff in their review.

Ms. Ward noted that the Code recognizes there are sites throughout the city where B-1 and residential neighborhoods abut. This is not to say that compatibility is determined by comparing the footprint, height and setbacks of a single-family home to a hotel proposed for an 8-acre site which is what staff did. The Code never intended for neighborhood compatibility to be applied in such an extreme and arbitrary fashion, nor did it recognize the use of complicated mathematical computations such as measuring in cubic feet. She elaborated upon the planning discipline and the fact that cubic foot or volume measurements are not relied upon as a means of applying, reviewing or regulating bulk or mass for planning purposes and that it is typically the volume contained within the building walls.

Ms. Ward noted a hotel, along with offices, retail, services, restaurants, and spas are all permitted in this zoning district. Since the site is adjacent to a waterway, waterway use is triggered and that triggers neighborhood compatibility. Since the Comprehensive Plan encourages sites adjacent to the waterway to preserve and protect marine-related uses, the hotel must have a marina component to be consistent with such plan. It is this very requirement that throws the project into the conditional use requirements and

neighborhood compatibility. She quoted the community's East Community Area Plan, "Fort Lauderdale prides itself on being the yachting capital of the world, but its increasingly losing opportunities to retain, preserve and expand the marine industry, its related uses and access to waterways due to high land values and market forces that do not favor marine-related waterfront development." Another part of the Plan recognizes that waterfront marinas are gradually being replaced with residential developments. She indicated that the project meets the conditional use provisions and explained why. It is located east of the Intracoastal, adjacent to the Intracoastal, south of the 17th Street bridge, and across from the second largest port in the world, providing access for boats and yachts.

Ms. Ward reviewed the setback, height and length slides. Almost 2/3 of the project site are proposed at approximately half of what is permitted. Length is not mentioned in the ULDR as a way to determine neighborhood compatibility for B-1. She noted an opening provided between the dry stack storage and parking garage for air and light and to address building mass. She listed other design features for neighborhood compatibility are adequacy requirements, smoke, odor and emissions and architectural features. The buildings are designed to orientate the buildings in a way to preserve the views.

Ms. Ward indicated that compatibility cannot be determined only by focusing on one side of the site. The project has been designed to create a transition from B-1 to the single-family. The Applicant worked diligently to obtain community input and went out of their way to addressing issues raised including those of staff. They went so far beyond meeting the Code requirements that she believes the project embodies the very essence of neighborhood compatibility.

Joaquin Vargas, Applicant traffic engineer, reviewed a slide presentation. A copy of the slides is attached to these minutes. The main entrance is from the south frontage road which takes traffic off Harbour Inlet Drive. The north frontage road is used for exiting to minimize impact on Harbour Inlet Drive. The majority of traffic coming from the south or north are going west. At the residents' request, the Applicant has received the Department of Transportation's approval for a one-way westbound frontage road. They also wanted to look at the west to south movement at that intersection. The projection is that there would be twice the capacity needed for that movement.

Mr. Vargas said a traffic study was submitted in July, 2006 and reviewed by the City. Modifications were made and in November the City approved the study. It was subsequently brought to his attention that residents had raised a number of issues. At the City's request, additional analyses were done and submitted on June 1. He later learned of a letter from the City's Traffic Consultant dated April 5. He addressed issues in that letter in a document dated June 5. There were three areas of concern expressed. One was conference and meeting space in connection with parking requirements. Regarding parking, the intensity of the project has been reduced and they are no longer asking for a reduction. Another issue was associated traffic. They believe the hotel qualifies as a resort hotel. If the resort hotel criteria is applied, there will be significantly less traffic than what it is assumed in their study. Therefore, they used the worst hotel classification for purposes of traffic. There is no need to address a shared parking study or a revised traffic study because the project is less intense and there is less traffic. He reiterated reference to the DOT approved one-way operation. All traffic related issues of the project have been addressed and they are improving the safety and operation of the intersection. This project would result in less traffic than Pink City – Best Western.

Mayor Naugle asked for further clarification of the reductions (Page 9 of slides). Mr. Mastriana said in order to accommodate all parking inside, a reduction in uses was required. He enumerated the square footage for each use category. This created an increase in parking of 178 spaces. Between the proposed project and existing uses, there will only be an increase of 41 peak hour trips.

Vice Mayor Moore left the chambers at approximately 7:42 p.m.

Bill Cole, 1942 SE 24 Avenue, was opposed to the project because it is incompatible with the neighborhood. The presentation this evening did not address any issue raised by the Planning and Zoning Board. It will be one of the largest structures in the City. It is inconsistent with existing development along 17th Street east of the Intracoastal. This project would establish a beachhead of commercial activity and forever change the nature of the barrier island. The developer's traffic study states that the project would generate about 10,000 trips per day, all of which would have to use the intersection at 23rd and 17 Street. This does not include a count for restaurants and other public spaces. There is no allowance for committed traffic from existing projects on the beach. Other uses would result in less traffic. He emphasized the value of views. He asked that the Planning and Zoning ruling be held. A slide presentation was made. A copy of the slides is attached to these minutes.

Bill James, 1823 Admirals Way, said the traffic would be too much at The Sails. The traffic study is incomplete because it does not account for meeting room space, at least one of the restaurants, or the spa and fitness centers. The intersection is already at Level E in terms of traffic. He elaborated upon traffic issues. If The Sails opens by 2010, traffic on 17th Street bridge would increase by 57%. Turns onto 17th Street would increase by 244%. SE 23 Avenue is really the driveway to Harbor Inlet; inbound traffic would increase by 207% and outbound traffic by 211%. Removing one floor from the hotel will not solve the traffic problems and would only reduce traffic by 3%. Retail is the real traffic culprit. A slide presentation was made. A copy of the slides is attached to these minutes.

Vice Mayor Moore returned to the meeting at approximately 7:48 p.m.

Nancy Thomas, 1924 SE 24 Avenue, said the bridge provides stunning views. This view is a priceless piece of public relations for the tourism industry. They are now faced with a project that includes much-needed marine components. She asked if asked to describe the ideal development concept, would they have listed any of the following: a structure that physically dwarfs the adjacent established neighborhood whose mass and configuration would add thousands of extra cars to a very limited and already congested single intersection; a structure that is two-thirds the size of the Orange Bowl; a structure 700' long, 95% of which is taller than the bridge; a structure that obscures much of the magnificent and irreplaceable waterway vistas from the bridge that were intentionally preserved for their tourism value. She believed the Commission would have imagined a development complimentary in size to the surrounding area, considerate of the traffic impact, supportive of the need for marine facilities, and one which would enhance, not eliminate, any part of the waterway and residential vistas. The developer claims that only condominiums would be obscured, but much more would be lost. Rather than accept a flawed concept that was rejected by the Planning and Zoning Board and City

staff, the Commission should insist on one that would satisfy all the stakeholders. She asked that the views be maintained, traffic minimized, and make it profitable by making it all marina. A slide presentation was made. A copy of the slides is attached to these minutes.

Diana Centorino, 2601 Barbara Drive, said if The Sails is built, it will irrevocably alter the character of her neighborhood. There would be no transition from the massive structure to the single-family homes. She provided the Commission with postcards of the neighborhood and the 17th Street bridge. She discussed the views particularly from the bridge. She wanted to maintain the Venice of America charm in the neighborhood. Dry dock storage at this site would be a more desirable and compatible alternative which would better serve the marine industry. It would be smaller in scale and generate less traffic. The proposed project would not be compatible with the neighborhood because of the substantial increase in traffic. It would also bring great potential for intrusion traffic going through the neighborhood and every conceivable commercial use into a predominantly residential area. A real concern is the domino affect if approved because it would lower the threshold for other applicants for neighborhood compatibility. She asked the Commission to vote no. It is not compatible; it is massive; it will choke the neighborhood with traffic; there is no gradual transition; it will forever eliminate the wide and distant views of the ocean and inlet which would be protected for everyone. A slide presentation was made. A copy of the slides is attached to these minutes.

Ed Yevori, 2124 SE 18th Street, said he assisted in attempting to get individuals to sign a petition in favor of the project. His street faces the project. He is in favor of the project and proceeded to show a chart depicting the pros and cons of the project. (Nothing was submitted into the record by Mr. Yevori.)

Kenny Hale, 2922 Banyan Street, felt it is a good idea to construct something nice, modern and beautiful at the City's gateway. The maximum density is not being requested. If the existing hotel was operated at maximum capacity, there would be more traffic now. He supported the project.

Jennifer Moore, 1934 Admirals Way, said she is one of a group of dwindling natives of Fort Lauderdale. She opposed the project because it would jeopardize the secluded, small and safe atmosphere of the area. She is aware that development would occur at this site, but is opposed to a monstrosity of this nature on her front doorstep. The Commission has been wisely advised by the Planning and Zoning Board that this proposal does not meet the neighborhood's need and dramatically oversteps the area in scale. She appreciated the tourism that fuels this city's economy, but at what cost to her. Residents should be put before the tourists.

Irvin Baker, 2200 South Ocean Lane, Point of Americas, said the concept presented is a beautiful one, but traffic would adversely affect this neighborhood. He would like to see more marina because more retail is not needed in this area. He asked the Commission to support the Planning and Zoning Board and seek a better use.

Scott Centorino, 2601 Barbara Drive, urged the Commission to uphold the Planning and Zoning Board's decision. This project makes sense on no level. To permit such a behemoth structure would be a massive blunder the residents would regret for as long as the building stands. Even the most well-meaning and well-planned project can look

appealing on paper, but have flaws when put into action. This project proves his theory incorrect because while The Sails has been cleverly marketed, it does not even look good on paper. The Commission's decision would affect everyone in the room, but affect their children and grandchildren far more. A wrong decision would set a very dangerous precedent. It is the City's responsibility to protect it for future generations. This project puts all this in jeopardy. While the project started with some support, as people have come to know the breadth of it, they have concluded how misguided their previous support has been. He strongly urged the Commission to deny it.

Caroline McNair, 2000 South Ocean Drive, Everglades House, said she does not want her neighborhood to be overrun by cars, nor their homes dwarfed by the proposed massive structure. It is too big to be placed at the front door of a single-family residential neighborhood.

Kathleen Ginestra, 2625 Marion Drive, said she does not want to live anywhere else in the world than this city. The Commission has heard the reasons why staff and the Planning and Zoning Board recommend denial of this project, along with citizen comments from many neighborhoods as to why this project is not suited for the proposed site. In researching facts, the following urban legends surfaced: 1) Property values in Harbour Inlet have been kept deflated due to the deterioration of the Pink Plaza and the Best Western sites. The proposed project is needed to boost property values. This is not true because her property value has risen at an alarming rate over the last 10 years. 2) If the neighborhood fights this project, the next one could be worse. This is untrue because they have to look far and wide to find a project that meets Code and have a worse impact. 3) If the Commission votes against the project, the developer could not bring another project forward for two years. She said she does not know if this is true and asked for clarification. She asked that there not be a hasty decision. She hoped the Commission will work with the residents to keep the city the best of its size forever. She referred to Joni Mitchell saying you don't know what you got until its gone and asked the City not to pave paradise and put up a parking lot.

Mara Shlackman, 2100 South Ocean Drive, Sky Harbor East Condominium, said she purchased at this location because it is next to a single family neighborhood, which makes it more quiet and secluded. She agreed with all the earlier comments opposing this project. She urged the Commission to deny this appeal. The reduction in office space is less significant than if they reduce the retail. Retail generates more traffic. The meeting space reduction is not enough to bring it down to a business hotel category. The traffic studies fail to take into account the developments progressing along A-1-A that have not yet been built which would generate more traffic.

Frank Herhold, Marine Industries Association of South Florida, and representing the Florida Yacht Works Association. He submitted a letter from their president, in favor of the project, indicating it would be an asset to the yachting community both monetarily and by providing much needed dockage for vessels visiting Florida. Fort Lauderdale is known as the yachting capital of the world and should be kept as such. Mr. Herhold said his group consists of 800 marine businesses representing a wide range of membership. He submitted a letter the Association sent to the Planning and Zoning Board. The concept clearly addresses the area's need not only for dry storage slips, but also for marine retail and deep water dockage. He emphasized the need for deep water dockage. In particular, it will serve as a landmark entrance to the yachting capital of the world from the water and an icon for those driving over the 17th Street Causeway. Both

wet and dry slips will be available to the public on a rental basis, rather than equity ownership, thereby contributing to the affordability of boating. They also liked that marine retail is included. The Association supports The Sails development.

Commissioner Hutchinson left the meeting at approximately 8:16 p.m.

Bob Ross, 2543 Lucille Drive, President of Harbor Beach Property Homeowners Association, said he also is a yacht broker. He believed the project is compatible with the neighborhood and would be an asset to the City.

Commissioner Hutchinson left the meeting at approximately 8:18 p.m.

Annette Ross, 2543 Lucille Drive, said she has seen this site go from its glory days to the nightmare on 17th Street. Developers have eyed this property for many years and only one, Mr. Mastriana, engaged the neighborhood in the planning of this development. He met some 10-20 times with residents and was interested in what they wanted. She felt it is a beautiful project and an asset to the community. The majority of those in her homeowners association are in favor of the project. Perhaps every resident should be polled.

Richard Roffman, 1924 SE 21st Avenue, supported the project. Whenever the status quo is changed, it produces a reaction. Small minorities organize and try to effect change. He gave the example of Copernicus, Galileo and Bruno and proving the sun is the center of the solar system. Just because a group speaks out does not always make them right. History has proven that the very vocal will do anything possible to keep status quo. He urged the Commission to vote on what is right and legal.

Beverly Patestides, 2000 South Ocean Drive, representing 64 of her neighbors, opposed the project as presented. She said the pink shopping center worked well until the developer refused to renew leases and so forth. The project does not have to be massive in order for it to be a successful enterprise. They favor the marine industry. She asked the Commission to vote against the project in its current size and reconsideration. They are very concerned about the traffic.

Joseph Consolo, 1900 South Ocean Drive, President of Breakwater Towers, 185 units, said the majority are opposed to the project due to its size and primarily the traffic. Older residents are worried that emergency vehicles would have difficulty getting into the neighborhood.

Markes Thomas, 832 NW 2 Street, representing the Boys and Girls Clubs of Broward County, thanked the developer for supporting the children in Broward County.

Priscilla Smith, 2016 Harborview Drive, questioned the developer's analysis of neighborhood compatibility and the comparison with other buildings, such as the convention center and Pier 66. No project will be palatable to every resident. This neighborhood is bounded on three sides by water; it has two special elements. One is the intersection and the bridge from with views enjoyed by all. Mr. Mastriana has indicated that the pink shopping center failed due to lack of visibility. The zoning consultant also mentioned visibility as an important item to this development. She has not heard any evidence to support the theory that lack of visibility killed the shopping center. Such a theory should not be tested by allowing a dominating and imposing

structure at the bridge. If high visibility is imperative for the development, it cannot be compatible with the neighborhood because it will diminish the view from the bridge. Every visitor is here for a view of the water and beach. The developer will be detracting.

Elba Cases, 1798 Marrietta Drive, said it is hard to improve the neighborhood because they have to constantly fight to bring everyone to the 21st century. This concept is long over due. She supported this project.

Ricardo Cases, 1798 Marrietta Drive, said originally he was opposed to the expansion of the bridge, but was thankful he was talked out of it. He was thankful for progress. He urged the Commission to vote in support of the project.

Genia Ellis, 1801 SE 25 Avenue, said one of the things that is important to everyone is commerce. Individuals opposing this and complaining about traffic did not raise one voice when the Hess Mart was expanded which increased traffic through that intersection tenfold. It is a 24 hour, 365 day a year business. She noted other commercial uses in the area. The proposed project is somewhat the same in terms of uses. She said the Code define what is permitted. If people object, it is late; the zoning should have been changed previously. There should have been tighter controls. This project meets the criteria, and it is incumbent to honor that fact. She urged the Commission to support the project.

Penny Mondani, 2612 Barbara Drive, said she and her husband have submitted letters of support for this project. The Sails is an environmentally friendly building. Retail within residential areas encourages walking, thereby reducing traffic. She asked the Commission to support the project based on the facts presented and not on the urban legends of massive, behemoth and overwhelming traffic because there is no data to support such claims. The individuals who oppose this project have opposed many other improvements to the neighborhood improvement program. They are not an overwhelming voice, but simply a loud one. She urged the Commission to support this project.

Margaret Croxton, 1315 South Miami Road, representing Marina Mile Association, 70 corporation, said they are in need of projects like this. This project will provide jobs which will be good for her neighborhood. This is the Venice of America. She could not find anyone against this project. She referred to Harbor Colony who is across the street. She read from their letter that said this development will be a long awaited dream come true. Mr. Mastriana has met with them some 15 times. She felt he is the best developer one could find. A helipad was suggested for emergency vehicles because the traffic flow does not permit today. She felt this is the best project.

Joe Podsiadlik, 2637 Marion Drive, said he is speaking for several individuals who could not attend. They are not against progress, but want to see it in a planned and controlled fashion. They are concerned about public safety and emergency vehicles during peak hours. Additional traffic to this intersection is not prudent. He felt the building is reminiscent of any large office building found anywhere in the suburbs of any major city. It is not of a South Florida design and the view over the bridge would be obstructed. He asked the Commission to support the Planning and Zoning Board and not approve this. .

Jonathan Daniels, 1642 South Ocean Drive, was happy that the property is to be developed, however, he opposed the scale. The pink building and hotel are the correct

size and compatible with the neighborhood. The Planning and Zoning Board said the project is not compatible in part because of the significantly large scale and massive structure and the fact that the property is so close to a neighborhood of single-story homes. He wanted to see more marine-related uses at the site. Ships, yachts and boats put this city on the map. If a world-class marina comes to the proposed site, the city would stand out even further as the yachting capital of America and possibly the world. Another hotel with meeting rooms is just that. This city is known as the Venice of America. He did not want to see it become a Las Vegas style hotel strip. He was concerned about traffic. Other developments occurring in the area will add to the traffic. Views are important and should not be taken away from the residents or tourists. He urged the Commission to vote against this development.

Helen Jackson, 2000 South Ocean Drive, said none of the area residents are against progress, nor the marine industry. To the contrary people have expressed a desire for more marine usage. She asked the Commission to consider the traffic because it is horrendous now and would be much worse if this project is approved.

Howard Lewis, 1636 South Ocean Drive, Harbor Beach, said he is pro-business and hopes the developer is financially successful and does not want to see him walk away from it, but he is not pro to such a grandiose scale. Traffic flow has not been addressed on 23rd Avenue. There is only one way in and one way out of the barrier island. He wanted to see the project downsized so it would be compatible with the neighborhood.

John Terrill, Chair of the Marine Advisory Board, supported The Sails. The Board voted unanimously in favor of this project. This site is the gateway to the yachting capital of the world. It is important to understand the positive impact this project would have on the community and the marine industry. The wet slip marina would provide a world-class facility for mega yachts. In the race to build the largest yachts, there are now many vessels which are too big to be accommodated in the City's other marinas. These yachts will now have a place to dock and the economic impact will reach into all neighborhoods throughout the city. The retail space is suitable for marine businesses and the restaurants would provide a destination for local boaters. The dry stack storage facility is important to small boaters.

Loretta Pedley, 2107 Inlet Drive, stressed the traffic issue which would have a great impact on the area. Wrong turns will find their way into their neighborhood. She was also concerned about the use of 23 Avenue. She urged the Commission to vote against this project.

Joseph Centorino, 2601 Barbara Drive, was opposed to this project because of the incompatibility of an orange bowl-sized development overshadowing a delicate single-family neighborhood. He was concerned about the lack of transparency in what he perceives as a very flawed process in the presentation of this project, the misinformation and outright deception in some cases regarding the level of neighborhood support and impact on the neighborhood. He was shocked that this project was presented to the Planning and Zoning Board before any neighborhood meeting. The neighborhood has not been provided with an accurate depiction of the project, and that is reason enough to oppose it. Most people get their view of the project from the two large depictions at the site, but neither show what the project will look like from a human perspective. The neighborhood have not been properly informed. They do not want to stop progress or development or hurt the marine industry, but they are

neighbors trying to preserve what is left of their community. He urged the Commission to oppose this over-sized project.

James Erdman, 2523 Barbara Drive, strongly opposed to this project based on the findings of the Planning and Zoning Board. He said Ron Mastriana is a wonderful developer, but the scale and mass of this project is not appropriate for the site. He suggested placing it in front of the Convention Center. He has not heard one argument why this hotel should be built at this site. This is a crucial battle for this neighborhood. A small number of people can make a change and have done so in the past. He cited an example about building high-rise condominiums along the inlet. This project, if built, would set a precedent for continued development of this size and mass. The developer has failed to address sections of the Code on massing for overall height, vertical plane moderation or compatibility in relation to the established pattern of development. This building does not promote a gradual transition into the adjacent residential neighborhood. These are the main concerns of the Planning and Zoning Board. He did not believe the developer should have been granted an appeal. There should be some overriding concern as to why this building should be built at the subject site. No one is opposed to marine uses. People want to protect their quality of life. They are not attempting to make a profit on their home values. He urged the Commission to vote against this project.

Tom Gonzales, 512 Seven Isles Drive, said he is the project owner. He thanked the Mastriana family and the architectural firm. Everyone is entitled to an appeal even criminals. Over the last year the city has lost 35 businesses, a 167-room Best Western Hotel with 300 employees, a fully functioning marina, five boat brokers, a liquor store, sea tow office, real estate brokers, bar, lounge, bike shop, and other establishments. A total of 350 people lost their jobs and the City lost hundreds of thousands of dollars in tax revenue. Of all the objections he heard, they center mainly around traffic and the view. He did not hear one person state that since all the jobs are gone, businesses have left and thousands of customers are gone, the traffic has improved. Traffic does not get better. Everyone has traffic problems; they live in paradise. Traffic will not improve whether or not this project is built. He was amazed that traffic and view are the two big issues. He felt that views is self-serving. He complimented the City on its logo. It is irresponsible for comments to be made that this project is as large as the Orange Bowl; it is not even close. During the last year, they met with many people to discuss the project and have donated over \$3 million to over 20 charities. This is not about politics, but what is right for where we live.

Nolan Haan, 729 SW 2 Court, Chair of Historic Preservation Board, said the Board unanimously voted to recommend historic designation of the Americana Hotel. If this project is sent back for redesign, he asked the Commission to urge the architect to incorporate the Americana Hotel into the design.

Kit Denison, 718 SE 17 Street, said his family is involved in the boat building and repair industry. Fort Lauderdale is the boating capital of the world. This is not just about the boating industry or needed boat storage, and the creation of job. Ancillary uses such as hotels, restaurants, retail and commercial are also needed. During the boat show there will be less traffic over the bridge because people will already be there. He supported the project.

Diane Smart, 3850 Galt Ocean Mile, President of Broward Trust for Historic Preservation, said the Americana Hotel also known as the Best Western Marina Motor Inn sits on this site. She listed various individuals and organizations speaking about its architectural importance. The Trust has found a new site, the welcome park on Federal Highway. Necessary funds in the amount of \$2 million have to be raised to move the hotel to this site. They are working on the logistics. The Trust is attempting to meet conditions of a prior agreement they entered into last October with the property owners. The agreement stipulated that the owner would donate the structure and contribute \$100,000 toward the moving costs if it could be moved off the site by May 1, 2007. It also provided that the owner would consider an extension to the May 1st deadline if the Trust had secured at least 85% of the funds needed for the relocation. Unfortunately, the Trust has not been successful in meeting these conditions within the 7 months; the new site was just confirmed on May 15th. They continue to seek funding for the relocation. If the funds cannot be raised, they hope the owner will consider integrating the Americana lobby structure into the design of The Sails. The Trust asks the Commission's support on this option.

Sharon Striggles, 2307 NW 8 Street, said she cares about the marina and the jobs. The western side of the city needs these jobs. She asked the Commission to vote in favor of this project.

Mark Patterson, 1925 Marietta Drive, Harbor Inlet, asked the Commission to uphold the recommendation of the Planning and Zoning Board. Staff also found the project to be too massive. They are the body formed to specifically address this issue. He did not buy into some of the scare tactics as to how big the developer can construct in accordance with the Code, as opposed to what he is proposing to construct. He is not opposed to the project in general. He felt it is too massive and traffic issues have not been addressed adequately. He has a hard time believing that a project 2-3 times larger than the previous project would only produce 41 extra trips. There would be less resistance from area homeowners if reductions are made. There does not appear to be any reduction in retail, which is the greatest traffic generator.

Chris Relyea, 2217 Manatee Drive, felt that individuals who have been involved with the project from the beginning are in support of it. The project meets the requirements of the B-1 zoning district. The City has approved the traffic counting methodology and the counts are in accordance with what is allowed. In regard to emergency vehicles, there is a fire station on this side of the bridge. In regard to evacuation, the marina and hotel properties will be mandatory before the voluntary. The developer has been in contact with concerned citizens for over 18 months and made drastic changes in favor of neighborhood compatibility. He felt that neighborhood compatibility needs to be better defined in the Code. He supported the project.

Vice Mayor Moore left the meeting at approximately 9:17 p.m.

Bob Dzamba, 2100 South Ocean Drive, Sky Harbor East, supported the project. It is a welcome addition to the neighborhood. He believed the structure is compatible and something that residents and tourists would be able to utilize. Some residents want to walk to retail establishments. He looked forward to that aspect.

Vice Mayor Moore returned to the meeting at approximately 9:19 p.m.

Tyler Chappell, 2745 East Atlantic Boulevard, Environmental Consultant representing the Applicant, said questions have arisen regarding a dry stack instead of a hotel use. He referred to the Boat Siting Plan in the approval process. Broward County is divided into three zones. Currently, the plan proposes 1,033 slips in the south zone and 248 of those would go to the government for public use for five years. This leaves 785 slips and 705 of those have applications submitted. The County has approved the The Sails' application as complete. Mr. Mastriana is number seven. In summary there are 153 slips for The Sails and 397 for future projects. The wet slips have been approved for construction.

Essie "Big Mama" Reed, 1200 NW 3 Street, said the Best Western Hotel employed many people in the community. They are people without jobs. She asked the Commission to vote yes and to think about the children who need to be taken care of.

Kathleen Kennedy, 7740 NW 13 Street, said she now lives in Plantation, but lived in Fort Lauderdale for eight years and plans to return. Traffic is inevitable. There is no other developer or owner who is committed to working on these issues and making this project work. The project is well within the requirements of the Code. She showed two aerials and discussed the view when driving over the bridge. She did not feel this project would obstruct the view. There are three entrances to the neighborhood in question. She emphasized this is about property rights. This has been worked through for two years. She urged the Commission to support this project.

John Phillips, 2109 SE 19 Street, Harbor Inlet, commented about serving previously on the Beach Redevelopment Board. He had trepidation about the traffic, but he felt that remedies would be found. Great cities condense and eliminate car traffic. The use at this site is permitted and is less dense than what is permitted. He urged the Commission to support the project. He felt the traffic would be solved. He has been a member of the South Andrews Business Association. Their plan has languished. He did not want the same thing to happen to the dilapidated shopping center. The proposal is beautiful and consistent with their nautical theme.

There being no further comments, Mayor Naugle closed the public input.

Vice Mayor Moore commended the public for the way they have conducted themselves. He felt the invention of air conditioning and radio changed development in this area. The real issue is the zoning. This site is zoned B-1 which allows the density and height of the project being proposed. The developer took a market risk in acquiring the property. The mixed use lessens the risk and may have occurred as a result of discussions with the residents. Many people expressed the need for a marina as well as a hotel on that side of the waterway. The other interesting issue is that retail could return to the site that might prevent some traffic.

Vice Mayor Moore asked about the traffic modeling used in order to arrive at the projections. Joaquin Vargas, Traffic Engineer representing the Applicant, said he is a registered professional engineer in Florida and his specialty is transportation. He also is a professional traffic operations engineer which is a designation issued by the Institute of Transportation Engineers that regulates traffic studies. The methodology used is nationally recognized and adopted by the State, County and City. He elaborated upon formulas set forth in a manual.

Vice Mayor Moore asked if the gentleman who provided a presentation on this item had a similar background. Bill James, 1823 Admirals Way, said he is not a traffic engineer. Every number cited in his presentation was drawn directly from the report provided by the Applicant. He noted that he found some errors in the report, such as the committed traffic for projects built since the last traffic study conducted was not included, nor were projects underway and permitted. Various components of the structure were not included, such as restaurants, bars, fitness center, spa and the meeting room space. In some respects he applied the standards only to the same degree that the Applicant did.

In response to Vice Mayor Moore, Mr. Vargas said committed traffic may be addressed in different ways. Four different levels of traffic studies were performed. They included committed development and added traffic associated with 15 approved area developments and traffic associated with seven pending applications. The statements regarding errors, inconsistencies and issues omitted are not correct. In fact they were asked by City staff to re-do the trip generation using different assumptions specifically for the restaurant in a way not recommended by the manual. The result was that the trips were lower. The manual specifically indicate that the formulas account for ancillary facilities, banquet rooms, spa, fitness and retail. They followed procedures established in the profession.

Vice Mayor Moore referred to a representative of the Applicant indicating that the zoning district does not provide guidelines for the building width. Marc LaFerrier, Director of Planning and Zoning, said from a quantifiable perspective, there is not, but there is from the perspective of orientation of a tower or building as it relates to neighborhood and community compatibility. The width and length of a building in B-1 zoning is pretty permissive. There are only the setbacks to regulate. Due to this location, it goes through another review having to do with neighborhood and community compatibility which deals with building scale, massing and orientation of buildings, their impacts on other properties.

In response to Vice Mayor Moore, Mr. LaFerrier indicated setback requirement is 5 feet; the project meets all B-1 setback requirements; the building was set back further from the property line than what is required.

In response to Vice Mayor Moore, Mr. LaFerrier indicated the project supersedes the landscaping requirements.

Commissioner Teel asked if the documents provided to the Planning and Zoning Board included the traffic study. Mr. LaFerrier said the traffic study submitted to the Planning and Zoning Board was prepared about one year ago and did not include all aspects of the development, such as the spa, fitness center, and restaurant, but most importantly it did not include almost 50,000 square feet of conference center which is a significant traffic generator. After the Board meeting, staff wrote to the Applicant and asked this be addressed. The Applicant's response was to reduce the size of the conference center to 18,000 square feet. This would still be regarded as a significant trip generator. Some office and retail space was also removed. Those changes were made and a traffic study was revised, but it was only submitted in the last 2-3 days. Therefore, staff has not had the benefit of a final review of that study.

Commissioner Teel noted in the Applicant's slide presentation, slide 78 on page 39 shows D level of service for the 23rd Avenue intersection. She asked for an explanation

of that designation. Jose Rodriguez, Engineer, Keith & Schnars, on behalf of the City, said the level of service is basically the operational conditions of the intersection or roadway section, usually about the delay time. A D level of service is acceptable. It ranges up to 50-60 seconds per vehicle of delay time. The next level E is capacity. Level of service D is the accepted level for the County and City.

In response to Commissioner Teel, Mr. Rodriguez indicated he did not receive the report until Friday, along with follow-up materials this morning, and therefore, could not provide a professional opinion at this time.

Commissioner Teel referred to a letter submitted by the Applicant from the Florida Department of Transportation, giving permission to use the perimeter road as one-way. She asked if the letter is binding. Mr. Rodriguez said the letter is good for a year after the date noted on it. There were other conditions, including evaluation of the left-turn lane on the westbound approach and that a traffic study be conducted in that regard. He believed there were other conditions as well. Commissioner Teel concluded it sounds like preliminary. Mr. Rodriguez said it is approval of a concept. They would have to comply with all conditions provided by FDOT.

Regarding the two latest traffic studies and not enough time for review, Mr. Vargas said a meeting was held with the City in May to see if there were any additional issues. At that meeting, they were informed that residents had raised additional traffic issues. At the City's direction, the additional analyses were conducted and submitted on June 1st. The issues raised regarding the banquet was documented in a letter provided to the Commission, dated April 5th. The Applicant team did not know about that letter until after the meeting on June 1st. They had no idea about the additional issues. This is why they were submitted at the last minute.

Commissioner Teel asked why the traffic study was not included in the submission to Planning and Zoning. Mr. Vargas said it was his understanding that both traffic studies were submitted, those dated July and October. The October study addresses comments received from the City's traffic consultant. Commissioner Teel watched the meeting and did not think there was any traffic study in the information before them. Mr. Mastriana said the Planning and Zoning Board said they expected staff to provide the traffic study. The way it has been working in the City for sometime is that the traffic study is given to a consultant who makes a recommendation. Keith and Schnars wrote a report indicating the study was acceptable during DRC and P&Z. They indicated that the traffic and shared parking studies were acceptable from a methodology standpoint. The Applicant submits information to the City and staff decides what is given to the Planning and Zoning Board.

In response to Commissioner Teel, Mr. LaFerrier understood that the study was not included in their packet submitted to go to the P&Z. If it had been included, it did not include an analysis of the banquet or conference space. Therefore, it would have been an inappropriate traffic study.

In response to Commissioner Teel, Greg Brewton, Planning and Zoning, said the process of presenting such information is followed as part of the application package to the Planning and Zoning Board. They did not have it at the P&Z meeting at that time.

Commissioner Teel said there are individuals who believe that promises were made by the Applicant and she wanted to confirm the commitments. She asked if a commitment was made to limit the site plan to one curb cut or driveway on the east side of the property on 23rd. Mr. Mastriana confirmed that as correct. Commissioner Teel asked if a commitment was made that Florida Department of Transportation had approved a one-way westbound change for the southwest frontage road and to make that a stipulation of the project. Mr. Mastriana confirmed that as correct and said that one condition of the letter is that they conduct traffic studies to determine whether the left-turn along A-1-A, turning left into 23, is adequate. It is double what is required. It was provided to Department of Transportation and confirmed. It was his understanding that from the conceptual letter, it is their requirement to provide construction plans to the Department of Transportation, which is the next step. Commissioner Teel if a commitment was made that the retail space would not be rented to any single tenant in an amount of more than 10,500 square feet, specifically to prevent rentals to stores like CVS or Walgreens. Mr. Mastriana confirmed that as correct and said that would be included in the tenant's lease agreement. Commissioner Teel further asked if a promise was made to have a wall separating SE 23 Avenue east of the service parking lot to obscure the parking area from passerby traffic. Mr. Mastriana said they agreed to a wall so lights as cars enter the entranceway, lights would not glare onto the surrounding properties. Commissioner Teel asked if a commitment was made that taxis and buses would be prevented from using the southeast entry and exit to the property. Mr. Mastriana said they committed to notify all buses and taxis about the entryway and mandate what they use. They would use the entry off the service road into the property. The Department of Transportation was very much in favor of this. Commissioner Teel asked if a promise was made that service and delivery trucks could completely turn into and around as necessary within the southeast corner of the building. Mr. Mastriana confirmed, indicating it could be done inside the building. It would include trash collection; there are two areas for trash. They would not have to encroach into handicap spaces to make those turns. Commissioner Teel asked if there is a commitment for public pedestrian access to the dockage areas. Mr. Mastriana said that area would be open to the public, except for limitations on customs. Except when there is a mega yacht in town, the public would not be allowed in the area directly next to the yacht for security reasons.

Commissioner Teel said there has been some discussion about using the criteria of cubic feet. She referred to Exhibit 2, a comparative massing analysis, shows The Sails at 10.75 million cubic feet and Pier 66 was only 3.63 million cubic feet. Mr. Mastriana said they do not agree with those figures.

Mr. LaFerrier said the concept of changing the one-way or two-way direction of the service road with modifications could be intriguing and might be considered by Florida Department of Transportation, but that has not been discussed with staff, nor has it been analyzed as to whether it would be appropriate for the City or for anyone's best interest. At this point, it is not a mature concept ready for a final decision.

Mr. LaFerrier said the Applicant submitted to the Planning and Zoning Board for their review a document entitled "The Sails Traffic Study," was a three-page document dealing almost exclusively with the shared parking issue. The actual traffic study was dated July, 2006 and was not included in the package submitted by the Applicant.

Commissioner Teel referred to the cubic calculations for this project of 10.75 million cubic feet and 3.63 million cubic feet for Pier 66. Mr. LaFerrier said staff feels

comfortable with those numbers. Neighborhood and community compatibility speaks to the scale and massing of buildings. Instead of just trying to get a sense of that or trying to understand it from a windshield perspective, they have attempted to make this more scientific in order to understand the volume of a building. The volume of a building would speak to the mass of a building. Staff measured floor-by-floor, along with the height of the floor. For Pier 66 they measured the footprint either by the plans, in the field or through GIS, and then measured it floor-by-floor also. It is an accurate approach, but not a precise one.

Commissioner Teel said the City hears over and over again about view corridors. She asked how the proposed building would affect the view corridor. Mr. LaFerrier said when view corridor is mentioned in the ULDR under community compatibility, they believe the reference has to do with public view corridors. The view corridors from the 17th Street Bridge are massive. The project would block the view going eastbound on the south side of the bridge. The building is approximately 38 feet above the bridge deck at the western portion of the building, and rises up about 90 feet above the bridge deck, and then goes down to about a 60 foot difference between the bridge deck and the very eastern end of the building. From the peak of the bridge looking east and south is only one aspect of the vista. A vista is panoramic. It would be above the bridge deck by 30-90 feet.

In response to Mayor Naugle, Mr. LaFerrier said the cubic feet measurement for Pier 66 is the pedestal of the hotel building and the tower. Jenni Morejon, Planning and Zoning, showed a graphic depicting portions of Pier 66 that were analyzed by staff in terms of cubic volume. Mayor Naugle pointed out that all three buildings of The Sails were measured, but only one building for Pier 66. Ms. Morejon confirmed that as correct. Mr. LaFerrier clarified that The Sails' building is one building.

Vice Mayor Moore asked about the view corridor with the old bridge that was lower and the existing pink structure. Mr. LaFerrier did not have that information.

Commissioner Rodstrom was a big supporter of the marine industry and believed they are the yachting capital of the world. She wanted redevelopment, but wanted it in specific areas. She suggested the northwest portion of her district. Pretending the Intracoastal is a street, one would see redevelopment at Hyatt 66, the Marriott, and the Convention Center Hotel. In speaking about neighborhood compatibility, it is in the context of this one project, but neighborhood compatibility also takes into account all of the other projects in the pipeline and the impact those buildings will have on these residents. The traffic trips considered for the Pier 66 is at it exists now and not the maximum use. Considering a 1,000 room Convention Center Hotel and the four corners, there would be thousands of trips impacting one neighborhood. There is not comprehensive plan for what is being done in that neighborhood.

Vice Mayor Moore was concerned about property rights. He questioned denying the developer that is ready to go in favor of another only proposing something. Commissioner Rodstrom said that is not what she meant. The Commission should consider all the options that could happen which could impact neighborhoods in regard to development. Vice Mayor Moore agreed everything should be considered. In developing the city, various zoning categories were created as pre-planning, and then it is addressed by development site. He had suggested not having zoning categories and

allow the Commission more development control, but the Commission decided to have zoning categories. If that rule has been set, it should be followed.

Commissioner Hutchinson said she needs to be 100% comfortable that the change being made is for the greater good. There is no doubt that the uses in this project were at this site over the course of time, other than the spa and conference room. She is a huge supporter of the marine industry. The impact of the marine industry on the city is phenomenal. Her decision tonight has no bearing on her opinion of the marine industry. She was not 100% comfortable with this project. She had concerns about its scale and size.

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 07-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PLAN TO CONSTRUCT A HOTEL, OFFICE AND MARINA DEVELOPMENT ON A WATERWAY LOCATED AT 2150 SE 17TH STREET, FORT LAUDERDALE, FLORIDA, IN A B-1 ZONING DISTRICT.

Which resolution was read by title only.

Mayor Naugle said he keeps hearing from the public that this project is too big. He believes in rules and the zoning. He listens to all of the public input. He tends to favor hotel projects on the barrier island and vote against condominium projects that do not follow the rules. He believed density on the barrier island should be around 25 units to the acre maximum, and passed the gavel once to make a motion to restrict density on the barrier island for a condominium project at 25 units to the acre, but could not get a second. Hotels on the barrier island are not a burden during hurricanes. He compared this project with others either in the system or already constructed. The Trump Las Olas .78 acres. In respond to the Mayor, Mr. LaFerrier indicated that hotel is 121 units per acre. With Mr. LaFerrier's assistance on units per acre, the Mayor enumerated the following information. The Trump International is 1.82 acres at 164 units. Atlantic Hotel is less than one acre with 146 units per acre. The Hilton is 1.7 acres at 191 units per acre. The St. Regis is 1.7 acres at 114 units per acre. The Capri is 4 acres at 114 units per acre. The Sails is 8 acres at 44 units per acre. The Sails is about one-third the density of other hotels recently approved. Mr. LaFerrier confirmed that as correct. Mayor Naugle noted that the City badly needs dockage. He noted how the public seems to be evenly divided on the issue. He felt that owning property next to a bridge is a burden. It is usually devalued. The view from the top of the bridge is stunning. In weighing all the factors, he felt this project has been trimmed and is reasonable. He does not buy the argument that if the project is not approved, everyone would still have to look at the ugly pink buildings in their present state because the City has laws about the maintenance of property. If the project is approved, he believed there should be a requirement regarding demolition and screening of the site so the property would not be an eyesore. Also if the project is approved, he wanted approval contingent on the boat storage facility being included and if a boat storage facility is not approved, it would have to be resubmitted to the Commission.

Commissioner Hutchinson agreed to the contingency suggested by the Mayor.

Mayor Naugle asked what is the reasonable amount of time for a demolition permit. Valerie Bohlander, Director of Building, said the permit could be issued the next day, but the typical amount of time is 60 days.

The following disclosures were made: Commissioner Rodstrom visited the site and received e-mails from residents and spoke with the applicant. Commissioner Hutchinson visited the site, spoke with the applicant, the neighborhood and individuals in the marine industry, along with e-mails. Mayor Naugle spoke with the applicant and residents in the neighborhood, along with e-mails and phone calls. He also visited the site. Vice Mayor Moore said he responded to e-mails and met with the applicant. Commissioner Teel received e-mails and phone calls, spoke with residents in the neighborhood and met with the applicant.

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

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 07-106

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DENYING A DEVELOPMENT PLAN TO CONSTRUCT A HOTEL, OFFICE AND MARINA DEVELOPMENT ON A WATERWAY, LOCATED AT 2150 S.E. 17TH STREET, FORT LAUDERDALE, FLORIDA IN A B-1 ZONING DISTRICT.

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

Vice Mayor Moore left the chamber at approximately 10:39 p.m.

Request To Extend Site Plan Expiration Deadline (R-03)
Village Lofts – Mixed Use – 700 NE 4 Avenue – Case 123-R-04

No budgetary impact

Applicant: Crosswinds at Village Lofts, LLC
Location: 700 NE 4 Avenue
Zoning: Regional Activity Center – Urban Village RAC-UV

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 07-107

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN EXTENSION OF TIME OF A SITE PLAN APPROVING A DEVELOPMENT ON PROPERTY LOCATED AT 700 N.E. 4TH AVENUE IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

Plat Approval – Poinsettia Ridge Estates, LLC (R-04)
1801 NE 13 Street – Case 18-P-05

No budgetary impacts

Applicant: Poinsettia Ridge Estates, LLC
Location: 1801 NE 13 Street
Zoning: Residential Single-Family and Cluster/Medium Density RC-15

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 07-108

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT KNOWN AS "POINSETTIA RIDGE."

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

CITIZEN PRESENTATIONS

Harold Hanson – Conservation of Water Resources (CIT-01)

Harold Hanson provided a water conservation proposal. He noted that Phase III water restrictions outline today’s state of emergency. He pointed out the projected population growth over the next ten years. He calculated estimated usage. The City could save 342 million gallons of water over the next five years and upgrade testing standards that would save time and money. The federal water resource and the population growth analysis point to the severity of this problem. Conserving the water resource is a massive undertaking on everyone’s part. By adopting this proposal the City could help solve this problem. This planet is unique because of one thing, water. It is the life force that makes it habitable.

Vice Mayor Moore returned to the chamber at 10:42 p.m.

Robert Walsh – Parking on Birch Park Beach Street Finger Streets (CIT-02)

Robert Walsh said parking between 14th and 18th along A-1-A is no longer available. He showed slides of the area. He felt this is not right. The beaches are the most popular public resource. Limiting access could affect state and federal funding in maintaining the beaches. Portions of the beach are public land which means all members of the public

have the right to use the beaches, but their ability depends on the quality and availability of access. He suggested permitting parking from 8 a.m. to 6 p.m. He wanted a response from Commissioner Rodstrom. In response to Mr. Walsh, Commissioner Hutchinson indicated this matter has already been approved.

Mayor Naugle instructed the City Clerk not to accept any future applications from Mr. Walsh due to his use of inappropriate language.

Saade Chibani – Fiveash Water Treatment Plant Procurement of On-Site Hypochlorite Generation System (CIT-03)

This presentation was withdrawn.

Alberto Garibi – Fiveash Water Treatment Plant Procurement of On-Site Hypochlorite Generation System (CIT-04)

Alberto Garibi said he is the sales director for get the name from Kirk he is familiar with this controversy 10:48:29. Siemens Water Technologies has been prequalified to bid the on-site hypochlorite generation system for Fiveash Water Treatment Plant. They believe they can offer significant value to the City since they have the experience, technology and service infrastructure. Their service branch in Fort Lauderdale has been in service since 1983. The City's procurement approach of a competitive bid is the right approach because it would allow the City to obtain the most cost effective solution. He mentioned their experience in the competitive bid process across the country. He thanked the City for the opportunity to participate in this project.

Sue Mercer – Abuse of United States Constitution – Homeless and Poor (CIT-05)

Sue Mercer discussed efforts of Seattle to end homelessness. The City's parking ordinance is unconstitutional. Ending homelessness saves taxpayer dollars. She had emailed the Commission two studies on homelessness. She had met with Mayor Naugle who referred her to Broward County. She referred to the website of www.Broward.com that also indicates it is cheaper to end homelessness. She emphasized the seriousness of homelessness is a serious problem. She showed a photograph of an individual by the name of Michael who she believed is dead because of the City's ordinances and law enforcement.

PUBLIC HEARINGS

Amend Operating Budget – Grant Appropriation - \$120,025 Executive Airport – Relocate Taxiway Alpha Construction (PH-01)

Appropriate funds to Airport 468 01 P10802 subobject 6599 \$120,025

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

Vice Mayor Moore introduced the ordinance on second reading:

ORDINANCE NO. C-07-48

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 APPROPRIATING GRANT FUNDS AWARDED TO THE CITY BY THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) IN THE AMOUNT OF \$120,025 TRANSFERRED-IN TO AIRPORT 468 01 P10802 SUBOBJECT 6599 FOR TAXIWAY ALPHA CONSTRUCTION AT THE FORT LAUDERDALE EXECUTIVE AIRPORT, WITHIN THE FINAL OPERATING BUDGET, PROVIDING FOR SEVERABILITY, PROVIDING FOR EFFECTIVE DATE.

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

**Amend Operating Budget – Transfer \$287,333.36 (PH-02)
Executive Airport Central Parking Garage Elevator Replacement**

Transfer \$287,333.36 from Airport retained earnings fund FD468.01 subobject 9901 to Project 468.01 P10708.461 subobject 6599

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

Vice Mayor Moore introduced the ordinance on second reading:

ORDINANCE NO. C-07-47

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, 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 \$287,333.36 FROM THE AIRPORT RETAINED EARNINGS FUND 468.01 TO AIRPORT 468.01 P10708.461 SUBOBJECT 6599, WITHIN THE FINAL OPERATING BUDGET, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

**Application for Dock Waiver of Distance Limitations (PH-03)
2957 State Road 84 – Westport Shipyard, Inc.**

No budgetary impact

Applicant: Westport Shipyard, Inc.
Location: 2957 State Road 84

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

Vice Mayor Moore introduced resolution:

RESOLUTION NO. 07-109

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.B & C OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW WESTPORT SHIPYARD, INC., A WASHINGTON CORPORATION, TO CONSTRUCT AND MAINTAIN A FLOATING MARGINAL PIER AND MOORING PILINGS ADJACENT TO PROPERTY HAVING A STREET ADDRESS OF 2957 STATE ROAD 84 AND AT DISTANCES PROJECTING FROM THE PROPERTY LINE INTO THE WATERS OF NEW RIVER AT SUCH DISTANCES AS SET FORTH BELOW, SUCH DISTANCES AND PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW.

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

Historic Designations – Case 1-H-07
Stranahan House and Adjacent Camp Site

(PH-04)

Owner: A. Stranahan House, Inc.
Applicant: Stranahan House, Inc.
Zoning: Historic Preservation H-1

No budgetary impact.

Michael Ciesielski, Planning and Zoning, said on March 5, 2007, the Historic Preservation Board voted 7-0 to recommend that the Commission designate the Stranahan House as a historic landmark, and in a 4-3 vote to also recommend that the Commission designate the property located at 500 East Las Olas Boulevard and owned by the Las Olas Yacht Club Associates as a historic landmark. Pursuant to Section 47-24.11.B.5, the Commission shall at this meeting consider this matter.

Mayor Naugle noted this is a two-part matter. In response to Mayor Naugle, the City Attorney indicated the better course of action would probably be to first consider Part A and then go to Part B. Commissioner Hutchinson wanted to designate the Stranahan House without public input.

Tucker Gibbs, 215 Grand Avenue, representing the Applicant, said this is one application. It has been the position of Stranahan House, Friends of the Park, and the Broward Trust that this is one application and should be considered as such. This matter was decided by the Fourth District Court of Appeals which directed the City to hear the application. The application is the one provided to the City in 2005 which was one application.

In response to Mayor Naugle, the City Attorney said he did not see a problem with breaking this down into two parcels because they are two parcels of land; one owned by the Applicant and one not owned by the Applicant.

Mayor Naugle announced the Commission would proceed to hear Part A which is designation of the Stranahan House.

In response to Mayor Naugle, Donald Hall, representing the property owner, did not object to the designating the Stranahan House as a historic landmark. Mayor Naugle inquired and no one present objected to this designation. He therefore closed the public hearing.

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

Commissioner Hutchinson introduced a resolution for Stranahan House (Part A):

RESOLUTION NO. 07-110

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE DESIGNATION AS A HISTORIC LANDMARK OF THE STRUCTURE THAT IS LOCATED AT 335 SE 6TH AVENUE, WHICH IS COMMONLY KNOWN AS THE STRANAHAN HOUSE.

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

Mayor Naugle announced the Commission would now proceed with Part B (Adjacent Camp Site and former Hyde Park Market) .

Tucker Gibbs, representing Stranahan House, Friends of the Park, and Broward Trust for Historic Preservation, said he is joined by co-counsel Jim Blosser and Bill Scherer. He requested the Commission approve the Historic Preservation Board's recommendation to designate the Stranahan Trading Post and Camp Site as an historic landmark. He believed this is one application and should be considered as one. He also requested all materials provided to the Historic Preservation Board, along with the supplemental information provided to the Commission, City Attorney and City Clerk be included in the record of this proceeding.

Mr. Gibbs said the Commission's job tonight is basic. Under Section 47-24.11.B.6 to designate a historical landmark site, they must base their decision on this application meeting one of the criteria listed in that provision of the Code. The application, the staff

report, and the Historic Preservation Board recommendation show the site meets three of the criteria. It meets Section A. It has a value as a significant reminder of the cultural and archaeological heritage of this city. Section C; it is identified with a person or persons who significantly contributed to the development of Fort Lauderdale. Section F deals with the Stranahan House. This is one site, and therefore, this also applies to the entire site because it includes a structure that has distinguishing characteristics of an architectural style valuable for the studies of the beginnings of the city and the method of construction, use of indigenous materials. City staff reviewed the application and found it to meet the requirements for designation. The Historic Preservation Board agreed. Testimony and evidence have been presented in the application, showing that the criteria have been met. This is one application for one site for one important reason. This site is where the City of Fort Lauderdale began and where the name was resurrected and applied to this trading post and later applied to the new city that was created. The trading post and camp site was the center of the early community that became Fort Lauderdale. It was the commercial hub of this early community with the establishment of the trading post and the camp site, the overnight facility for stage passengers as well as others. The camp site was the key place of social and commercial interaction with the Seminole Indians. He urged approval.

Susan Gillis said she is the former Curator of Collections, Fort Lauderdale Historical Society, and worked extensively with the Stranahan collection. She wrote a recent history of Fort Lauderdale, *Fort Lauderdale – The Venice of America*. The Stranahan camp and trading post site is one of the most significant historic sites in Fort Lauderdale and Broward County. They were pivotal in determining the siting of the future City of Fort Lauderdale and sparking the beginning of the modern community. In 1892 Dade County Road was constructed from Lantana to Lemon City which is North Miami today. By January, 1893 Guy Metcalf, publisher of the local newspaper, *The Tropical Sun*, began a stage line between those two cities and hired his cousin, Frank Stranahan, to operate an overnight camp and ferry across New River. Originally, the site was located in what is called Colee Hammock, a high ground. Mary Brickell of the Brickell Trading Post in Miami owned the property and had other plans for this high ground. Through negotiations, they got Mr. Stranahan to move his camp west to the site of the current Stranahan House and adjacent 10+ acres to the northwest. This meant that the newly growing community of Fort Lauderdale developed not to the west of this high ridge, but to the west of the Stranahan Camp and Mr. Flagler's railroad was pushed inland to low ground. All future roads and the very configuration of the City were impacted by Mary Brickell's determination. Mr. Stranahan and his partner Mr. Wells established a store at the site which became very popular. He painted on the front of the trading post, Fort Lauderdale, in honor of a Seminole patient who had been there. She elaborated upon this commercial enterprise, convenience store and tourist attraction and resort.

Vice Mayor Moore left the meeting at approximately 11:16 p.m.

Ms. Gillis said that the area drew new settlers as well as the Seminole Indians. Mr. Stranahan helped to create a new good and strong relationship with the Seminoles and was joined in his efforts by Mrs. Stranahan. He served as an ambassador in a new relationship with the Indians who had previous mistrust of white settlers. In 1896 the railway came through west of this camp and the stage ceased operation, but the camp continued. Apparently it continued strongly as there are a lot of photographs from this timeframe. Ivy Stranahan arrived in 1899 to teach at the first school. In 1901 the Stranahans built the current house which served as the 4th trading post until 1906 when

a new store was built where the railway met New River and where Las Olas riverfront is today. The camp was closed at that time. The ferry ceased operation in 1904 when the Andrews Avenue bridge was constructed. Various photographs of the camp site were shown. This site was pivotal in our history. It was over a hundred years ago. She hoped the City honors and respects the site with the designation.

Vice Mayor Moore returned to the meeting at approximately 11:19 p.m.

Barbara Keith, 1732 SE 11 Street, Executive Director, Stranahan House, said the Commission has received a lot of information on the historic designation and importance of Stranahan House Trading Post and Camp Site. She wanted the Commission to consider three questions. 1) As the birthplace of our great city, doesn't it seem logical that the site where it all began, which includes the camp site, is of historical significance and deserves this important designation? 2) As the oldest surviving structure in Broward County and the camp site that surrounds it, a significant and threatened landmark in our community, wouldn't you agree that it is certainly worthy of recognition and protection as a landmark site according to the Fort Lauderdale Code of Ethics? 3) Our attorney and expert witnesses have succinctly explained the importance of the historic designation for Stranahan House and the camp site, don't you agree that the past does matter; that history weighs very heavily on us and refuses to be forgotten by us and that some of the worst poverty that anyone can suffer is to be stripped of their past? She presented a photograph of the site. She emphasized the Commission's vote is very important not only for the past, but for the future of this city.

Donald Hall, representing the property owner, noted the historian and archeologist present to answer questions. He agreed with Mr. Gibbs that the record should include everything introduced at the Historic Preservation Board. He provide the City Clerk with six exhibits. The background is well documented in these exhibits. This case is not about emotion and desires, but about facts. He referred to Mr. Gibbs' indicating that staff made a recommendation. He said the staff never made a recommendation; they have not taken a position and seldom does. The Historic Preservation Board made a recommendation with a vote of 4-3. He presented several photographs that he felt would prove that the basis for this creative application styled in the name of the trading post and camp site, such has never been applied to this property prior to the filing of this application. In fact, for over 40 years it has been a paved commercial supermarket and in later years the Hyde Park Market. He referred to Mr. Gibbs' saying that this 1.4 acre property would serve as a significant reminder of archaeological city history. He felt that is plain silly and preposterous because the site has been a paved commercial adventure for at least 40 years. The key is not just significant but reminder. The only identification which the site has in the public mind and has had for well over 40 years is as a supermarket site. The Stranahans are important to the City, but the trading post was never located on his client's property, but east of the Stranahan House approximately where the tunnel vent existed until his client, as authorized by the consent final judgment, resolution of the Commission and development agreement, undertook to create and provide a public park plaza. He referred to the agreement between Stranahan House and the City whereby they agreed to be bound by the determination of the City to acquire all or a portion of the 1.4 acre property. The City has complied. This application does not meet the criteria. It should be denied. The City, Stranahan House and Friends of Stranahan House are stopped by judgment today from deciding this issue. It was decided in summary judgment where the City's attempt to acquire the

property was denied. In that case the judge made findings regarding the historic nature of this 1.4 acres and that was never appealed. The judgment stands.

Michael Marcil said they are going to look at primary history and primary sources. Ms. Gillis' book is a secondary source. He showed a handwritten map drawn by Frank Stranahan from 1893, 1894 that is in the Stranahan House historical collection. A blow-up of the camp site is shown to the west of County Road which is now Federal Highway. To the east of the camp site is the Indian camp which was close to where Frank Stranahan had his original camp in 1892. The significance of the map is that the Seminole Indians at that time did not live on the Hyde Park Market site, but in other areas including this camp, John Jumper's camp, 1.5 miles away. In 1929 Frank Stranahan was interviewed by the *"Miami Herald"* and quoted about his first camp, "We pitched our first camp at the present site of Tarpon Bend Park. John Jumper's Indian Camp was located about 300' east of where we are located and there were 8 to 10 neighboring Indian camps in the area." Mr. Marcil noted said there was no Indian camp on the Hyde Park Market site. Mr. Marcil said that Frank Stranahan's second site was part of 10.7 acres he purchased from the Brickells which is most of downtown Fort Lauderdale. Under the criteria if something is to be designated historic because it is associated with Frank Stranahan, then the City would have to designate the entire downtown Fort Lauderdale because Frank Stranahan used to had it, just as he owned the Hyde Park Market site. He show a picture from the late 1890's of the Stranahan Trading Post. The significance of it is twofold. To the east of the Stranahan House is a Seminole Chickee where the Seminoles stayed when they came to the Stranahan House. It is not on the Hyde Park Market site because Photograph 13 from the 1896 to 1898 time period at the Fort Lauderdale Historical Museum shows Seminole Indians in the Stranahan Chickee. This was a time when there was segregation in our society, especially the south. Seminole Indians did not tent with the white settlers according to Stranahan's expert at the Historic Preservation hearing. He showed Photograph 16 and said by 1910 and even ten years before, the camp life at the Stranahan House ended. To the left of the Stranahan House, there is no camp site and to the east there is no Chickee because in 1904 Frank Stranahan erected a seawall which precluded the Indians from doing activities on his land and moved his store to the downtown center shown in Photograph 17 from 1912. However in 1904 Frank Stranahan moved his store west of the Hyde Park Market site. This is where Ms. Gillis referred to the center of Fort Lauderdale and where the downtown grew. Several comments have been made during the various hearings that the City grew from the Stranahan House and the Hyde Park Market site. He claimed it did not; it grew from the railroad that went through west of Andrews Avenue, including the Stranahan store. Nothing occurred on the Hyde Park Market site after 1900 or 1901 when the camp site closed. He showed a photograph on page 18 from the Stranahan collection of Ivy Stranahan and Frank Stranahan's mother sitting on a park bench on the Hyde Park Market site in 1908, showing no activity occurring. Photograph 19 of a couple years later shows a completely overgrown Hyde Park Market site. Photograph 22 shows Stranahan subdivision plat with Frank Stranahan's signature. He essentially subdivided Fort Lauderdale. He was a developer. Photograph 23, directly west to the Stranahan House, is the Stranahan and Brown subdivision that he further subdivided. Photograph 26 shows an apartment complex known as the Lauderdale Arms Apartments, so Mr. Stranahan did not have any objection to residential buildings being constructed west of the Stranahan House. Photograph 24 shows a large building approved by Mr. Stranahan when he served as a City Commissioner. He approved the Sweet Building of nine stories, a rather large building at the time. Mr. Stranahan favored development, pro-progress. He did not want

to freeze time in 1896 when the camp site existed. Photograph 25 shows what Frank Stranahan's downtown Fort Lauderdale looked like. Fort Lauderdale grew around the railroad tracks, Andrews Avenue and Brickell. Photograph 29 shows the Hyde Park Market site in 1950, showing nothing happening on the site. Photograph 30 is a 1950 tunnel study map that shows the Hyde Park Market site had a filling station, restaurant and asphalt parking lot. Photograph 31 shows a gas station on the site starting in the 1930s and 1940s. Photograph 32 from 1960 shows the Hyde Park Market then known as the Food Fair Market being constructed. One can see the site has no integrity. It was not a significant reminder of any camp site, it was a commercial site. In Photograph 34, the Hyde Park Market site in the 1990s was all that anyone remembered. No one in Fort Lauderdale is old enough to remember the camp site which was 105-110 years ago. Photograph 35 shows a river view of the site. The City agreed with the court determination. He showed in Item 38 written by the City's attorneys: "The lack of historical significance of the Hyde Park Market site and the lack of adverse impact upon the Stranahan House as well as the original site plan's compliance and consistency with the City's Comprehensive Plan have been established and adjudicated by the trial court." He concluded that the City's attorneys have taken the position in court that the Hyde Park Market site is of no historic significance.

Mr. Marcil showed a map depicting a one-mile radius around the Stranahan House showing 14 different reported archaeological sites in Florida, but there is nothing significant about the Hyde Park Market location. All of these properties mostly along the New River were frequented by Indians. Bob Carr, who did the archaeological excavations of his client's site also did excavations of the Stranahan House site in 1983. Item 42 shows he found a sample of 44 glass beads associated with Seminole activities dating between 1895 and 1906 in the vicinity of the Chickee, which makes sense because the Indians stayed there, not on the Hyde Park Market site. Item 46 shows that Bob Carr found only 3 glass beads when he did excavations of the Hyde Park Market site. In Item 48 and with respect to the historic camp, Mr. Carr found that the camp had no permanent structures and was basically a tent compound. No evidence of tent locations were found and that the historic camp is not a significant archaeological component of the subject parcel. He referred to Item 49 and noted only two grommets for tents were found on the tent site. The question the Commission has to answer is whether, based on two grommets and the fact that a couple of Seminole Indians docked on the docking pad as shown in the pictures, is enough to make this site a landmark, knowing that the National Register requires that a site have exceptional value in order to be included in the National Register as a landmark site. Item 52 shows it is so difficult to be on the National Register, that in Broward County there are 43 eligible sites, but no landmark sites. In fact, there are only five landmark sites in all of South Florida, noted in Item 58. The Stranahan House has local significance, but there has been no proof to satisfy the criteria that the trading post and camp site had exceptional value or is a significant reminder. He referred to Item 62, a newspaper quote from an interview of Ivy Stranahan: "She loves the city for she helped plan it. The towering hotels, the high-rise apartment buildings, and the big hotels have changed it, but she doesn't mind, that's progress." Mr. Marcil summarized that all that existed on the site was a couple of tourists passing through. No one knows who they were, no one of importance. It was only a camp site. The Stranahans are probably wondering why progress is trying to be stopped in the name of preserving something that only existed for five years. The Stranahans were pro-development.

Greg Phelan, 540 NE 7 Avenue, said he sees this as progress and an improvement to the downtown skyline. It is a beautiful building and would be a benefit to everyone.

Paul Cerbone, 501 SE 2 Street, realized there is a historical issue involved, but was not aware of the Stranahan House's importance until this came about. He believed the proposed project would beautify the City and an asset for locals to enjoy.

Al Gleichmann, 928 SE 10 Court, said he is a concept designer and has a keen feeling for Fort Lauderdale, the Stranahan House and the environment. The Stranahan House is a tiny entity. He emphasized that we must not forget the past, our heritage, the center of the city, and the beginning of things that have become so great. Developers cannot take over, destroy or usurp the past for anything but the most noble of gain. This is not to say no to development. The Stranahans worked for development, but they wanted controlled development. Perhaps Hyde Park Market should be preserved simply because it was not developed for so long. Two years ago he was retained by The Related Group to mitigate the quarrel with the Stranahan House. He proposed a solution and had it been used, the building would in construction today. It is huge, but it is a good looking building. It sits next to a tiny remembrance of history. He showed a picture of the project as he proposed it. The entire bottom of the building would be a mural that would frame and set off the Stranahan House. He had even suggested the building be named Stranahan Tower. It would have strengthened the Stranahan history.

Richard Borges, 1500 SE 15 Street, said he has a PhD in history and over 40 years of experience in preservation issues out of New England. His first impression of this city was its beauty. He noticed that the city's historical resources are missing. He pointed out that in the future there would be this beautiful house with a wall which is not part of the City's history or that of the Stranahan House. One must take the site in context with the open space around it. The surrounding property should look like it did in the late 19th century. The context of the site is just as important as the site itself.

Linda Brown, 826 SW 11 Court, said the fact remains that this city was borne on the banks of the New River along a wide piece of land once owned by Frank Stranahan. Yet from Las Olas Boulevard, once the city's main street, the river is no longer visible. Designation of this site would help the community understand the importance of the connection between this young city and the New River. She asked the Commission to support the historical landmark designation for this site.

Scott Strawbridge, President of Friends of the Park and Stranahan House, believed letters from the National Trust for Historic Preservation and the Florida Trust for Historic Preservation were provided to the Commission. Those letters talk about following the criteria and whether this site meets the required criteria for historic designation. He reminded the Commission that they have received compelling correspondence from the Florida Department of State, Florida Senate, the Division of Historical Resources; virtually every legitimate preservation agency from Fort Lauderdale to Washington, D.C., along with the City's advisory board and the Fourth District Court who asked the City to follow its own laws. It is not about the building, but a landmark designation. He asked the Commission to review the archaeological data provided that Mr. Marcil did not mention. The report of the consultant, Dr. Carr, notes a remarkable array of artifacts on the site. He indicated that Mr. Marcil only quoted from the 1980s and did not mention anything about the study ongoing now. The site does meet the criteria.

Ralph Johnson, a professor of Architecture at Florida Atlantic University School of Architecture, a board advisor for the National Trust for Historic Preservation and a member of the Board of Directors for the Florida Trust for Historic Preservation, said he testified at the Historic Preservation Board meeting. He noted that one of his students remarked that the Stranahan House and camp site was a landmark then to all the travelers and early pioneers, including the Seminole Indians, and it should continue to be a landmark designation.

Charles Jordan, 1225 SW 4 Court, said he has been involved in this issue since the application; he was President of the Broward Trust at that time. The application was illegally turned down by the City then. When City process is violated, they get deeper into a situation that they should not have to deal with. This site should have been considered when the application was submitted. The evidence is clear that this meets the criteria for designation. He referred to the property owners saying that the park concept is a new idea, which is not true. He submitted the Schemmerhorn Plan that was conducted for the City by a planner from New York in 1926. It shows the trading post, camp site and house as a park.

Vice Mayor Moore left the meeting at approximately 11:57 p.m.

Mr. Jordan pointed out that the site itself is integral to the operation of the Stranahan House. Although it has had a multiple of uses that were not compatible with its historic nature, this plan has been in existence for many years. He urged the Commission to designate the site as historic.

Vice Mayor Moore returned to the meeting at approximately 11:59 p.m.

Alice Smith, 513 Middle River Drive, said she is a former member of the Stranahan House Board. The camp site was a place where three different ethnic groups met and worked together which she believed to be historic. The site also has archaeological significance. Both of these criteria are contained in the ULDR and they have been met. She felt the site deserves landmark designation.

Mr. Gibbs said a comment was made that staff never made a recommendation. Marilyn Rathbun was hired by the Historic Preservation Board to make representations. This is a recommendation of a piece of property for historic designation. That expertise is given to the Board in order to make a recommendation to the Commission. They hire staff to make a recommendation to them. The recommendation was in favor of this application for Criteria A, C and F. Comments were made that the Hyde Park site is not a significant reminder of the City's history. However in 2007 Mr. Carr acknowledged the photographs shown of tents to the west of the site which was the camp site. Ivy Stranahan remarked that the tent camp surrounded the store which Mr. Carr also referred to in his report. The Seminole camp extended to the western portion of the site was acknowledged by Mr. Carr in his report in 2007 and 1982. Mr. Carr also stated in his 2007 report the camp was supported by the Seminole trade. In the 1982 report, Mr. Carr referenced the same photographs and said the tents were a major part of the camp. The tents were to the west of the sleuth. The sleuth's exit into the New River is now the border between Stranahan House and the Hyde Park site. To the west is the Hyde Park site where the camp site existed. In 1982 Mr. Carr said that a major part of the camp was to the west of the store. Photographs show that the tents were replaced by several wood frame one-story cottages as reported by Mr. Carr in 1982. Mr. Carr recommended in 1982 that

they should excavate and restore the boat slip west of the house although partially covered by the Pantry Pride grocery store, the boat slip was a vital part of the store complex. Mr. Gibbs said this site is significant. Supplemental information was provided to the Commission taken from the testimony and presentations made at the Historic Preservation Board meeting. The trading post was where the tunnel now exists. He showed on a pictorial that the trading post was slight to the west of where the Stranahan House exists today, which is shown in Mr. Carr's 1982 and 2007 reports. The contribution agreement between Stranahan House and the City is irrelevant to the issue. The issue is the criteria. The Fourth District Court of Appeal ordered the City to hear the application because City staff made a determination that because of Judge Andrews' order that the City could not hear it, that it was not historic. The appellate court ordered Judge Andrews to order the City to hear this matter. Judge Andrews' decision as it relates to the historic value of this property is not relevant. The appellate court decided that the ULDR specifically says the Commission makes this decision. Mr. Marcil spoke about the first Stranahan House site which is not relevant to this application. It is about the Stranahan House, camp site and trading post. The importance of this site is not the fact that it was owned by Mr. Stranahan, but that it was the trading post, camp site and house. The City's Comprehensive Plan defines a historic resource as one that is on the master site file. The Stranahan House was placed on the master site file in the 1980s, and this property was put on that file in 1999. In 2005 the State of Florida merged the two site files into one, stating that this site iwa part of the Stranahan House and store. He urged the Commission to vote in favor of this application.

Mr. Hall said that facts are stubborn things and particularly when one is trying to determine history. The only facts provided this evening, other than Mr. Gibbs' rhetoric and an interesting trip down memory lane by Ms. Gillis about the beginning of the City, is the evidence they presented on two crucial points. Is the site a significant reminder of the architectural history of the city. He believed it is not because for over 40 years the site has been an improved commercial operation, first as a gas station and later as a market. It is not that it is significant in certain people's minds who pay attention to these things. It is the public's mind. The Code is very clear, significant reminder. The public does not think of this site as an archaeological resource. The site is clearly not a significant reminder of the archaeological history of the city. He referred to Mr. Marcil's testimony. He disagreed with Mr. Gibbs' comments about Mr. Carr. The next point is, is the 1.4 acre site identified with a person important to the City. The Stranahans are important to the City; they are one of the founding families. The site is not identified with the Stranahans. The House is identified with them and is so designated. The trading post site would be identified with the Stranahans. This is about an application of the City's criteria to the evidence presented. The only evidence presented was presented by the property owner. This application does not meet the City's criteria. It is not justified, nor is it appropriate to designate this 1.4 acre site. It is in no way identified with the Stranahans.

Mr. Gibbs said that in history the person writing it decides what is important and what is factual. At the Historic Preservation Board, Dr. Harry Kersey, an acknowledged expert in the field, testified specifically about the importance of the camp site in reference to the Stranahans. Dr. Kersey said that the camp was unique as it related to the relationship between Frank Stranahan and the Seminole Indians. As he testified, from 1893 to 1901 there was no Stranahan House and whatever transpired between the Seminoles, the Stranahans and the community transpired in the camp and around it. He said that the trading that took place at this site was an important turning point in Indian and non-indian

relationships. He was an honest man trading honestly with the Indians. This is an Indian tribe that has never surrendered to the U.S. and was hostile to whites. They were trusted and this was where they came. He took offense about the issue of segregation because it was a terrible issue. According to Ivy Stranahan and it is in Mr. Carr's report, Indians were allowed to go anywhere; they did not just sleep in the Chickee hut built after 1896. They slept all over the site, including the camp site. There is photographic evidence showing the Seminoles at the camp site. He read staff's recommendation: "The fluctuating prominence of the Stranahans' lot in the city over the years does not diminish its importance in the siting and subsequent development of downtown Fort Lauderdale. The future configuration of the City was determined when Stranahan was compelled to move the camp site and ferry to the west. The site is where it is and everything flows from that. The site is significant."

Mr. Gibbs said the camp site was identified with the Stranahans and it is the beginning of the community of Fort Lauderdale. It is a significant reminder. For example, the Miami Circle was buried under a motel. People in Miami knew it as a motel until it was uncovered. One cannot judge a piece of property as historic based on what people think about it. It is what happened there. Many times the public does not know what happened there. Susan Gillis is an author who has written about the history of this community and Harry Kersey is an author who has written about the Seminoles and the Stranahans. Both are acknowledged experts in their field and both have testified using primary sources from the day about the significance of this site. It is contained in the information he furnished the Commission. He asked the Commission to look at the importance of this property to the beginning of this community and vote to accept the application.

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

Mayor Naugle said he is familiar with the historic preservation credentials of Sue Gillis as an author and historian and Marilyn Rathbun as the City's historian. He asked about Mr. Marcil's background in history and archaeology. Mr. Marcil said he was a history major at the University of Miami and he sat for probably 250 hours reviewing 72 boxes of the Stranahan collection. In response to Mayor Naugle, Mr. Marcil said he is an attorney. Mayor Naugle asked if Mr. Marcil has ever worked for any organization as a historian and if he has any archaeological background. Mr. Marcil said he has not worked for any organization as a historian and has no archaeological training. Mayor Naugle questioned if Mr. Marcil was an expert witness or just reciting other people's expertise. Mr. Marcil said that tonight he was showing the Commission primary sources; maps and quotes from Frank Stranahan.

Vice Mayor Moore felt history is very important. It begins with a nexus of who is reporting the history. He listened to the significance of history of the Stranahans. There is not one Seminole relic in the city, showing why this city was created. The Seminoles were here before the Stranahans. A significant structure, Eula Johnson's house, is being demolished in his community. The Historic Society is not fighting for that property. He referenced Dr. Sweeting's property, as well as Dr. Sistrunk's home, which was torn down because the buyer thought as an improvement on the property, it was a tax liability. He understood the seriousness of people about the Stranahans. He was concerned that this is the only sincerity he sees about history. There is a historical

vantage point in being an inclusive community. It is not just about that history. There are a number of sites in the city that should have been advocated for historical designation. The Stranahans should be admired for what they did in the era in which they did it because they showed respect to people of a different culture. He is being asked as a policymaker to give significance to what some want to call history, but do not offer anyone else historical significance. He remembered discussing a site of Seminole burial grounds where a development now sits. Now, they are talking about the historical value of this landmark. He questioned if this is the only significant landmark that should be in its history. The significance of the family and the role that they played was such that the park was placed at Andrews Avenue and Broward Boulevard. When the SunTrust building was constructed, there was a poster sold at the Las Olas Art Fair, stating that time elapses but the new could live with the old. It was a picture of the Stranahan House on one side and the SunTrust tower on the opposite side. Now they are making it as if a development could not occur because it would ruin the historical vantage point of the (Stranahan) site. Arguments were made as to where this camp site actually existed. He always thought the structure should be saved, but not where it prevented the progressive development of the community. He objected to picking and choosing what group of people's history is valid. Without the Seminole Indians and Africans, history and opportunities today would not be.

Vice Mayor Moore asked what is accomplished by designating this site as a historical landmark. The City Attorney said it basically has no function with regard to the approval already given to this site as far as development is concerned. If there is a redevelopment of the site in the future, they would have to obtain a certificate of appropriateness in order to build anything other than what has already been approved. Those approvals are in a consent judgment that this Commission has entered into, basically a contractual arrangement with the developer, that a subsequent historic designation would not have an impact and the previous designation by the Commission would prevail and no certificate of appropriateness would be necessary in order to continue with the development that has already been approved.

Vice Mayor Moore understood then that the landmark designation to this site is recognizing the trading post, camp site and the Stranahan living quarters for no other significance other than the possibility of a monument or marking being placed on the land. The City Attorney indicated his personal opinion is that is all it does, but he believed they believe something entirely different. Vice Mayor Moore asked what the Applicant believes the designation would mean. Mr. Gibbs said that before the property owner can get a building permit, they must obtain a certificate of appropriateness. Vice Mayor Moore understood Mr. Gibbs as saying that if the historic designation is granted, there would possibly be another challenge of the effectiveness of the implementation of the proposed development that has already been agreed upon. The City Attorney said that is correct.

Mayor Naugle said there are things in the community that recognize the Seminole Indians. He gave examples. The Seminole Indians were not here before the first European settlers. Vice Mayor Moore felt the comments were insensitive. Mayor Naugle said there are many tribes that could be recognized. He elaborated upon the initial settlement of the area and the Seminole history.

The City Attorney confirmed the accuracy of Commissioner Hutchinson's understanding that the Applicant is asking the City to designate 1.4 acres, the Hyde Park site, as a

landmark designation, and as part of the consent agreement, the developer is obligated to construct a park plaza of approximately 11,000 square feet at this site and donate it to the City at no cost.

Commissioner Hutchinson believed the trading post was further east of the Hyde Park site.

Motion made by Commissioner Hutchinson to designate the 11,000 square foot parcel that will eventually be a park plaza belonging to the City as a landmark site.

In response to Commissioner Rodstrom, the City Attorney said the area above the tunnel belongs to the Department of Transportation and the City has a lease on it. He indicated that it could be so designated, as well as the 11,000 square foot portion of the 1.4 acres when the developer conveys it to the City.

In response to Mayor Naugle's and Commissioner Hutchinson's question as to the Department of Transportation's response to such action by the City, the City Attorney believed the City's ordinance would probably not apply to the State; DOT would probably take that position and more than likely it may be a meaningless designation.

Commissioner Hutchinson restated her motion as follows:

Motion made by Commissioner Hutchinson to designate the 11,000 square foot plaza area that the developer is currently constructing as a park plaza be designated as a landmark site once it is conveyed to the City.

Although it may be a good thing to do in the future, Mayor Naugle was reluctant to designate property not owned by the City without notification to them. Commissioner Hutchinson clarified that the Department of Transportation property is not part of her motion.

The motion was seconded by Vice Mayor Moore.

In response to Commissioner Rodstrom, the City Attorney explained the issue is whether a certificate of appropriateness would be required to obtain a building permit to build the plaza that the City has already entered into an agreement with the developer to build.

Commissioner Rodstrom asked if this is something that would be amenable to the Applicant. Mr. Gibbs said it is the designation issue for the Stranahan House, the Friends of the Park, and the Broward Trust; it is the historic nature of the entire, one application. It is the critical issue. The main part of the camp site was west of the house.

Mayor Naugle supported designation of the entire site. He believed the evidence has been presented regarding Sections C with the person and F with the proximity of the site to the Stranahan House. He found the most offensive thing presented in evidence against the designation was a quote from the Sun Sentinel alleged to have been made by Ivy Stranahan, saying what she would think.

At the Vice Mayor's request, the City Clerk restated the motion.

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

Motion made by Commissioner Teel to designate the entire parcel:

RESOLUTION NO. 07-111

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE DESIGNATION AS A HISTORIC LANDMARK OF THE PROPERTY THAT IS LOCATED AT 500 EAST LAS OLAS, WHICH IS COMMONLY KNOWN AS THE FORMER SITE OF THE HYDE PARK MARKET.

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

Conveyance of Public Properties to City of Hollywood (PH-05)
Advancement of Affordable Housing

No budgetary impact

Vice Mayor Moore left the chamber at approximately 12:43 a.m.

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

Commissioner Hutchinson introduced the resolution:

RESOLUTION NO. 07-112

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO CITY CHARTER SECTION 8.02, CONFIRMING RESOLUTION NO. 07-85 WHEREIN THE CITY COMMISSION DECLARED ITS INTENTION TO CONVEY CERTAIN PUBLIC PROPERTIES TO THE CITY OF HOLLYWOOD, FLORIDA FOR PURPOSES ASSOCIATED WITH THE PROVISION OF AFFORDABLE HOUSING, AUTHORIZING EXECUTION AND DELIVERY OF A CONTRACT FOR SALE AND PURCHASE, DEED OF CONVEYANCE, AND OTHER DOCUMENTS REQUIRED FOR CONVEYANCE.

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

Amend Operating Budget – Appropriate Grant Funds (PH-06)
\$500,000 – A-1-A Median Improvements – Florida Department of Transportation

\$500,000 of grand funding to be appropriated to P10774.129, subobject D479 and expensed in subobject 6599. Matching funds available in P10774.331-6599

Motion made by Commissioner Hutchinson and seconded by Commissioner Rodstrom to close the public hearing.

The City Clerk corrected the agenda, there is no cash match.

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

Commissioner Hutchinson introduced the ordinance on second reading:

ORDINANCE NO. C-07-45

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 APPROPRIATING \$500,000 OF GRANT FUNDING FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO p10774.129, SUBOBJECT D479 AND EXPENSED IN SUBOBJECT 6599 WITHIN THE FINAL OPERATING BUDGET.

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

**Middle River Terrace Homeowners Association Cash Contribution (PH-07)
Amend Operating Budget – Neighborhood Capital Improvement Program**

Appropriate \$500 of a Middle River Terrace Homeowners Association Cash Contribution to Fund 331, Subfund 01, P00437.331, N965 Revenue and expenditure in 6599

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

Commissioner Hutchinson introduced the ordinance on second reading:

ORDINANCE NO. C-07-46

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 ACCEPTING AND APPROPRIATING \$500 FROM THE NEIGHBORHOOD CAPITAL IMPROVEMENT MAINTENANCE AND REPAIR PROGRAM FUND, P00437.331, SUBOBJECT N965 FOR USE IN THE CITY'S CAPITAL IMPROVEMENT PLAN.

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

Grant Appropriation - \$200,000 – Northeast Area Drainage Improvements (PH-08)

Appropriate \$200,000 to Fund 470, Subfund 02, P11177.470, revenue D317 and expenditure 6599. Cash match in Fund 470, Subfund 02, \$200,000, P11046.470

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

Commissioner Hutchinson introduced the ordinance on second reading:

ORDINANCE NO. C-07-44

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 APPROPRIATING \$200,000 IN GRANT FUNDING RECEIVED FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TO PROJECT 11177.470A, STORMWATER FUND.

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

Amend Operating Budget – Transfer \$200,000 Summer Youth Employment Program (PH-09)

Transfer \$200,000 from FD001/General Fund Subobject 9129 (Transfers to Misc. Grants) to GEN010101/Other General Govt Exp Subobject 4210 (Social Contributions)

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

Commissioner Hutchinson introduced the ordinance on second reading:

ORDINANCE NO. C-07-40

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 \$200,000 FROM FD001/GENERAL FUND, SUBOBJECT 9129 TO GEN010101/OTHER GENERAL GOVERNMENT EXPENDITURE FUND, SUBOBJECT 4210 FOR USE WITHIN THE FINAL OPERATING BUDGET.

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

ORDINANCES

Budget Amendment 4 – Fiscal Year 2006-2007 (O-01)
Hurricane Aftermath

Appropriating and transferring funds totaling \$22,999,743 for Hurricanes Wilma and Katrina expenditures and reimbursements

The City Clerk said that this ordinance should be a public hearing. Mayor Naugle opened the public hearing.

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

Commissioner Hutchinson introduced the ordinance on second reading:

ORDINANCE NO. C-07-43

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 APPROPRIATING AND TRANSFERRING \$22,999,743 FOR HURRICANES WILMA AND KATRINA EXPENDITURES AND REIMBURSEMENTS, WITHIN THE FINAL OPERATING BUDGET, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Amendment To The Pay Plan – Schedule I (O-02)

\$997 is budgeted in General Fund 01/001/01; CLK010101, Subobject 1101

Commissioner Hutchinson introduced the ordinance on the second reading:

ORDINANCE NO. C-07-39

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SCHEDULE I OF THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY CHANGING THE PAY RANGE AND MANAGEMENT CATEGORY OF CLASS NUMBER 910, TO WIT:

ASSISTANT CITY CLERK, ADDING STEPP, MAXIMUM FOR MANAGEMENT CATEGORY II TO THE DESIGNATED PAY RANGE FOR THE ASSISTANT CITY CLERK CLASS, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

Which ordinance was read by title only.

Vice Mayor Moore returned to the chamber at approximately 12:49 a.m.

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

Economic Development Incentive Program (O-03)

No budgetary impact

Commissioner Hutchinson introduced the ordinance on the second reading:

ORDINANCE NO. C-07-42

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING AN ECONOMIC INCENTIVE PROGRAM FOR THE CITY OF FORT LAUDERDALE INCLUDING A DIRECT CASH/JOB CREATION INCENTIVE AND A LOCAL MATCH FOR THE STATE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS AND AN EFFECTIVE DATE.

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

Amend Operating Budget – Grant Appropriation - \$336,000 (O-04)
Strategic Business Plan – Master Plan Update – Executive Airport

Airport 468 01 P10770.468 subobject 6599 \$336,000

Commissioner Hutchinson introduced the ordinance on first reading:

ORDINANCE NO. C-07-49

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 APPROPRIATING GRANT FUNDS AWARDED TO THE CITY BY THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) IN THE AMOUNT OF \$336,000 TRANSFERRED-IN TO AIRPORT 468 01 P11135.468 SUBOBJECT 6599 FOR STRATEGIC BUSINESS

PLAN/MASTER PLAN UPDATE AT THE FORT LAUDERDALE EXECUTIVE AIRPORT, WITHIN THE FINAL OPERATING BUDGET, PROVIDING FOR SEVERABILITY, PROVIDING FOR EFFECTIVE DATE.

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

Amend Operating Budget – Transfer \$10,417.26 (O-05)
Vehicle Purchase – Two Electric Carts

Transfer \$10,417.26 from PAR020104-6416 Fund 461/01 to PAR030101-6416 Fund 583/01 for purchase of two (2) electric carts (see attached spreadsheet)

Commissioner Hutchinson introduced the ordinance on the first reading:

ORDINANCE NO. C-07-50

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 BU APPROPRIATING \$10,417.26 FROM PARKING SERVICES PAR020104-6416 FUND 461/01 AND TRANSFERRING IN TO THE FLEET SERVICES PAR030101-6416 FUND 583/01 CAPITAL BUDGET FOR 2 ELECTRIC CARTS, WITHIN THE FINAL OPERATING BUDGET, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Parking Meter Rate Increase (O-06)

No budgetary impact at this time (meter rate changes will be implemented with in-house staff) Fund 461

Commissioner Hutchinson introduced the ordinance on the first reading:

ORDINANCE NO. C-07-51

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO PARKING AMENDING SECTION 26-161, "RATES AND HOURS FOR ON AND OFF-STREET PARKING," OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO INCREASE PARKING RATES FOR CERTAIN ON AND OFF-STREET PARKING IN THE CITY OF FORT LAUDERDALE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

**Prohibiting City Commission Members – Soliciting -
Accepting Donations**

(O-07)

No budgetary impact

Commissioner Hutchinson reminded everyone that the reason this ordinance came about was because someone tried to get candy for poor children at Halloween and her district tried to collect shoes for homeless children at Christmas and another project with the Women's Club. She understood the intent was to limit her official capacity but this draft limits her as a citizen. Before voting on this, she wanted an opinion from the Attorney General as to how it relates to her First Amendment rights and her ability to work for charity. She found the ordinance offensive in that it would affect her personal capacity to do work on behalf of charities. According to the City Attorney, no one has done this before.

Mayor Naugle asked the City Attorney to respond as to whether a commissioner may solicit a charity as an individual. A commissioner would be prohibited from either in their official or un-official capacity to solicit third-party persons who do business with the City. Mayor Naugle understood that the entire universe of individuals who do not do business with the City could be solicited. The City Attorney indicated that is correct.

Commissioner Hutchinson understood it would apply only if are an applicant and once they receive approval, they are not necessarily doing business with the City. The City Attorney confirmed that as correct. Doing business with the City is defined in the first part of the ordinance which includes applicants for development permits with the City or someone who might foreseeably be an applicant, but he did not know how that could be enforced.

Commissioner Hutchinson encouraged the Commission to listen to the City Attorney's comment about not knowing how to enforcement that. She felt they are embarking on something that they need as much information as possible prior to approving an ordinance that will not be enforceable. She did not know how the City could limit conversations that a commissioner might have with people who do business with the City.

Mayor Naugle indicated he raised this issue. It was not over candy and shoes, but some really heavy-hitting, arm-twisting letters that were being sent out to lobbyists that have active multiple proposals and going into the audience before a vote on an insurance contract, soliciting cash. He had to listen to someone who felt very pressured to give cash or not get the vote. He offered to present copies of documents used to solicit.

Commissioner Hutchinson felt the charities for which she works are worthwhile. She wanted as much information as possible.

Motion made by Vice Mayor Moore and seconded by Commissioner Hutchinson to table Items O-07 and O-08 until an Attorney General opinion is received. Roll call showed:

YEAS: Commissioner Hutchinson and Vice Mayor Moore. NAYS: Commissioners Teel and Rodstrom and Mayor Naugle.

Commissioner Rodstrom noted there is a resolution in place at this time with three items that may address some of the problems. She suggested waiting a couple months to see how that resolution works. Then, at that point in time, the Commission could add something to it. It is easier to change a resolution than an ordinance.

Motion made by Commissioner Rodstrom and seconded by Commissioner Hutchinson that the Commission abide by the current resolution indefinitely.

Vice Mayor Moore said enough time is needed so that Commissioner Hutchinson could receive a response from the State Attorney's Office.

Commissioner Teel said that one thing included in the ordinance that she had not expected is the political campaigns, actually soliciting for a third party's political campaign. It appears they are mixing apples and oranges because the City has an ordinance on political donations.

Commissioner Hutchinson said she would share information from the Attorney General when she receives it. Commissioner Rodstrom indicated the Commission could reexamine the subject then.

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

Lobbyists To Report When City Commission Members Solicit Donations

(O-08)

No budgetary impact

Mayor Naugle asked what is the penalty. The City Attorney said it would be violation of a City ordinance which is a third degree misdemeanor punishable by fines up to \$500 or 60 days in jail.

Commissioner Hutchinson asked if this is enforceable. The City Attorney said this they place a restriction on someone's ability to be a lobbyist. To his knowledge this has never been done, and therefore, he could not respond as to enforcement.

Motion made by Commissioner Hutchinson and seconded by Vice Mayor Moore to table until more detail is provided by the City Attorney and the City attempts to enforce something that the City Attorney agrees is not enforceable.

Commissioner Teel suggested the Attorney General's opinion be sought on this also. Commissioner Hutchinson agreed to include it in her request.

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

**Donation of Law Enforcement Trust Funds - \$5,000
Drug Free Youth**

(O-09)

**Funds in LEFT (Fund 104); Transfer of \$5,000 from Fund 104 to POL050201
(General Police Confiscation Account/Subobject 4299**

Vice Mayor Moore introduced the ordinance on the first reading:

ORDINANCE NO. C-07-52

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 UNDESIGNATED FUND BALANCES IN THE AMOUNT OF \$5,000.00 FROM THE LAW ENFORCEMENT CONFISCATED PROPERTY FUND TO POLICE CONFISCATED PROPERTY OPERATIONS TO DISBURSE SUCH FUNDS.

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

**Interfund Transfer and Appropriation of Funds
Capital Improvement Program.**

(O-11)

**Transfer \$2,075,000.00 from Fund 451, Subfund 01, FD451.01, 9699 to P00401,
Fund 451, Subfund 02, 6599.**

Vice Mayor Moore introduced the ordinance on the first reading:

ORDINANCE NO. C-07-54

AN ORDINANCE APPROPRIATING FUNDS FOR USE IN THE CITY'S CAPITAL IMPROVEMENT PLAN (CIP) AND 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 \$2,075,000 FROM FUND 451, SUBFUND 01, FD451.01, 9699, CENTRAL REGIONAL WASTEWATER SYSTEM OPERATIONS, TO P00401, FUND 451, SUBFUND 02, 6599, REGIONAL REPLACEMENT/RECAPITALIZATION WITHIN THE FINAL OPERATING BUDGET.

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

Advisory Board /Committee Appointments

(OB)

Mayor Naugle wanted to vote separately on the appointment of Mr. Lewis to the Charter Revision Board.

Motion made by Vice Mayor Moore and seconded by Commissioner Hutchinson to approve the board appointments.

Mayor Naugle did not feel that Daniel W. Lewis is worthy of serving on the Charter Revision Board.

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

Aviation Advisory Board	Sharon K. Woods
Board of Adjustment	Diana Waterous Centorino Bruce Weihe (Alternate)
Charter Revision Board	Daniel W. Lewis
Community Appearance Board	Ayisha Gordon
Historic Preservation Board	Susan Ryan Jordan
Northwest Progresso Flagler Heights Advisory Board	Rosalind Osgood
Planning & Zoning Board	Maria Freeman

Vice Mayor Moore introduced a written resolution entitled:

RESOLUTION NO. 07-113

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

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

Mayor Naugle had no objection to these individuals being appointed, except for Mr. Lewis who he feels is dishonest and not worthy of serving on the Charter Board.

There being no other matters to come before the Commission, the meeting was adjourned at 1:10 A.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk