

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
DECEMBER 18, 2007

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
DECEMBER 18, 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 6:02 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	Sgt. John Appel

Invocation was offered by Chaplain Rick Braswell, Broward Sheriff's Office, 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 arrived at approximately 6:02 p.m.

Motion made by Vice Mayor Moore and seconded by Commissioner Hutchinson that the minutes of the November 20, 2007 Conference Meeting and the December 4, 2007, Regular Meeting, and agenda be approved. Roll call showed: YEAS: Commissioners Teel and Rodstrom, Vice Mayor Moore, Commissioner Hutchinson, and Mayor Naugle. NAYS: None.

Presentations

1. Commendation – David Marshall (PRES-01)

Commissioner Hutchinson presented a commendation to David Marshall for his contributions to the improvements made at Riverside Park.

2. Acceptance of Grant Reimbursement Check - Riverwalk Projects – Florida Inland Navigation District - \$2,927,734 (PRES-02)

Vice Mayor Moore and the City Commission accepted a check from the Florida Inland Navigation District - Susan Eagle, Commissioner and Mark Crossley, Assistant Executive Director, in the amount of \$2,927,734 for Riverwalk waterway area improvement projects.

3. Expression of Sympathy (OB)

Mayor Naugle and the City Commission offered an expression of sympathy to the family of Phillip Drake.

4. Expression of Sympathy (OB)

Vice Mayor Moore and the City Commission offered an expression of sympathy to the family of Assistant Police Chief Adderley for the passing of his mother.

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 – Fort Lauderdale Rough Water Swim (M-01)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with International Swimming Hall of Fame, Inc. for Fort Lauderdale Rough Water Swim, to be held Saturday, January 5, 2008, 7:30 AM – 11:30 AM at Fort Lauderdale Beach.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1997

Event Agreement and Co-Sponsorship – 31st Annual Waterway Clean-Up (M-02)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Marine Industries Association of South Florida, Inc. for 31st Annual Waterway Clean-up, to be held Saturday, March 8, 2008, 9 AM – 1 PM at several waterfront locations throughout the City and approving co-sponsorship to allow banners at specified locations, subject to permitting regulations detailed in Code of Ordinances.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1999

Event Agreement – Oldies Night With Rick Shaw (M-03)
Closing of SW 2 Avenue – SW 2 Street to Riverwalk

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Fort Lauderdale Historical Society, Inc. for Oldies Night With Rick Shaw, to be held at old Fort Lauderdale Village on Saturday, February 2, 2008, 7 PM – 11 PM and authorizing closing SW 2 Avenue from SW 2 Street to Riverwalk.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-2000

Event Agreement – Mission Festival (M-04)
Closing Tarpon Drive

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with First Presbyterian Church of Fort Lauderdale, Florida, Inc. for Mission Festival, to be held at the Church on Sunday, January 27, 2008, 8 AM – 1 PM and authorizing closing Tarpon Drive – Tarpon Terrace to Brickell Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1995

Donation of 1,295 Trees – Tree Canopy Restoration (M-05)
T&G Properties of South Florida, Inc. d/b/a Tower Palms

No budgetary impact.

A motion accepting a donation of 1,295 trees from T&G Properties of South Florida, Inc. d/b/a Tower Palms for distribution to Fort Lauderdale Homeowner Associations and private citizens, including planting on City property – tree canopy restoration.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-2007

Marriott Harbor Beach Resort – 3030 Holiday Drive (M-06)
Development Agreement Amendment – Lauderdale Beach Association

No budgetary impact.

A motion authorizing the proper City Officials to execute a second amendment to development agreement with Lauderdale Beach Association – site plan revisions to Marriott Harbor Beach Resort – 3030 Holiday Drive.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-2017

Grant Application – 2008 Pre-Disaster Mitigation - FEMA (M-07)
\$570,000 – Parks and Recreation Building Hardening Measures

Cash match in the approximate amount of \$190,000 is budgeted in FD001, Fund 001, Subfund 01, Subobject 9129.

A motion authorizing the proper City Officials to apply for funding in the estimated amount of \$570,000 – Federal Emergency Management Agency – 2008 Pre-Disaster Mitigation Grant – hardening various Parks and Recreation buildings.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-2012

Change Order 1 – Trio Development Corporation - (M-08)
\$34,924.69 & Add 103 Days – Croissant Park Master Pump Station Rehabilitation and Replacement

Transfer \$39,115.65 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P11122.482-6599.

A motion authorizing: (1) Change Order 1 with Trio Development Corporation, in the amount of \$34,924.69 and the addition of 103 non-compensable calendar days to contract period – Croissant Park Master Pump Station Rehabilitation and Replacement – Group V – Project 11122; and (2) transfer \$39,115.65 to fund this change order and engineering costs..

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1889

Change Order 10 – The Poole and Kent Company - Credit (M-09)
(\$44,124.10) – Fiveash Water Treatment Plant Upgrades

Reduce encumbrance by (\$44,124.10) in Fund 482, Subfund 01, P10387.482-6599 and transfer \$340,000 from Water and Sewer Revenue Bonds to P10387.482, Fund 482, Subfund 01, to eliminate the deficit in the project.

A motion authorizing: (1) Change Order 10 with The Poole and Kent Company in the CREDIT amount of (\$44,124.10) – additional work and quantity adjustments – Fiveash Water Treatment Plant Upgrades Phase I – Project 10387; (2) reduction of encumbrance by (\$44,124.10); and (3) transfer funds to eliminate deficit in project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1958

Change Order 1 – Riverwalk South Regional Park (M-10)
Funding Source Change – MBR Construction, Inc.

\$72,000.00 is available in P10754.331, Fund 331, Subfund 01.

A motion authorizing a funding source change for Change Order 1 to MBR Construction, Inc., in the amount of \$72,500 – Riverwalk South Regional Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1976

Change Order 5 – Padula and Wadsworth Construction, Inc. - (M-11)
\$14,732.94 – Fire Station 47 – Additional Scope of Work

Transfer \$14,732.94 from P10909.336, Fire Station 8, to P10766.336, all in Fund 336, Subfund 01, Subobject 6599.

A motion authorizing Change Order 5 to Padula and Wadsworth Construction, Inc., in the amount of \$14,732.94 – additional scope of work at Fire Station 47 – Building Replacement – Project P10776.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1988

Change Order 1 – MGI Morgan General Mechanical Group, Inc. (M-12)

\$59,476.76 – Police Headquarters Electrical Wiring, Generator and Switchgears**\$59,476.76 is available in P10590.344, Fund 344, Subfund 01.**

A motion authorizing Change Order 1 with MGI-Morgan General Mechanical Group, Inc., in the amount of \$59,476.76 – additional work performed at Police Headquarters – electrical wiring, generator and switchgears – Project 10590C.

Recommend: Motion to approve.**Exhibit:** Commission Agenda Report 07-1987

Contract Award – Tenex Enterprises, Inc., - \$68,990.25 (M-13)
Decorative Street Name Posts – Victoria Park Civic Association

\$57,000 is available in P10788.331 (this amount includes a \$35,000 appropriation approved on 10/16/07, CAR 07-1631, but not yet booked) and transfer \$13,000 from Neighborhood Improvement NCIP Fund P00411.331 to P10788.331, Subobject 6599. All index codes are in Fund 331 and subfund 01.

A motion authorizing: (1) award and execution of contract with Tenex Enterprises, Inc., in the amount of \$68,990.25 – Victoria Park Neighborhood Improvements – installation of decorative street name sign posts in the neighborhood – NCIP Project 10788; and (2) transfer funds.

Recommend: Motion to approve.**Exhibit:** Commission Agenda Report 07-1985

Edgewood – State Road 84 Sanitary Sewer and Water Main (M-14)
Improvements – Man-Con, Incorporated – Work Order 10580D
And Change Order 1

Transfer \$1,734,311.58 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10580.482-6599.

A motion authorizing to Man-Con, Incorporated: (1) Work Order 10580D in the amount of \$1,198,285.84 – sanitary sewer and water main improvements – Edgewood Basins B, D, F, G, State Road 84 – Project 11070B; (2) Change Order 1, in the amount of \$350,206.64 – additional work; and (3) transfer \$1,734,311.58 to fund this work order, change order and engineering fees.

Recommend: Motion to approve.**Exhibit:** Commission Agenda Report 07-1970

Amendment 2 – Task Order 43 – Lohmeyer Wastewater Treatment (M-15)

Plant – Camp Dresser and McKee, Inc. – Net Zero Cost

No budgetary impact.

A motion authorizing the proper City Officials to: (1) execute Amendment 2 to Task Order 43 with Camp Dresser and McKee, Inc. – additional construction services associated with Equipment Replacement and Immediate Needs – Lohmeyer Wastewater Treatment Plant – Project 10767; and (2) reallocate unused funds in the amount of \$100,000 resulting in a net zero cost amendment.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1965

Task Order 35 – CH2M Hill, Inc. - \$6,830,665 (M-16)
WaterWorks 2011 – 2008 Program Management Services

Transfer \$7,650,344.80 from P11197.454, Water and Sewer Fund Recap to Fund 454, Subfund 01, P10365.454-6599.

A motion authorizing the proper City Officials to: (1) execute Task Order 35 with CH2M Hill, Inc., in the amount of \$6,830,665 – 2008 WaterWorks 2011 Program Management Services – Project 10365; and (2) transfer \$7,650,344.80 to fund this task order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1971

Settlement of General Liability Claim - (M-17)
GL-06-991C - \$55,000

Funds are budgeted in INS010101 – 5113 (General Liability Claims), Fund 543/Sub Account 01. There are sufficient funds to cover the amount of \$55,000.

A motion authorizing settlement of General Liability Claim GL 06-991C (Mathias Bower) - \$55,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1978

Settlement Agreement – Employment Termination (M-18)
Richard Milroy

Funds are available in PEN010101 (Pension) subobject 5504 (normal retirement fund); fund 630, subfund 01.

A motion authorizing the proper City Officials to execute a settlement agreement with Richard Milroy – employment termination – former police officer.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1996

New River – Riverwalk Dockage Facilities - Submerged Land Lease Renewal (M-19)

Estimated Expenditure of \$38,185.86 Fund 001, Subfund 01, BUS020103-3313 is offset by Revenue of \$38,185.86 Fund 001, Subfund 01, BUS020103-K191.

A motion authorizing the proper City Officials to renew submerged land lease with Board of Trustees, State of Florida Internal Improvement Trust Fund, for use of New River – Riverwalk dockage facilities – term of January 1, 2008 through January 1, 2013.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1989

New River – Riverwalk Floating Day Dockage - \$50,000 Grant Agreement Extension Florida Inland Navigation District (M-20)

No budgetary impact to extend grant. \$50,000 is budgeted in P11066.331-6599, Fund 331, Subfund 01.

A motion authorizing extension to Grant Agreement with Florida Inland Navigation District – funding in the amount of \$50,000 – Phase I Floating Day Dockage Facilities – New River – Riverwalk – 330 SW 2 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-2014

Municipal Marine Dockage Facilities – Bulk Cable Television Service – Comcast of Florida, LP – Term Extension (M-21)

FY 07/08 9-month impact: \$4158 Fund 001, Subfund 01, BUS020103-3628, \$2835 Fund 001, Subfund 01, BUS020104-3628, \$3402 Fund 001, Subfund 01 – BUS 020105-3628.

A motion authorizing the proper City Officials to execute extension to agreement with Comcast of Florida, LP – bulk cable television service at Municipal Marine Dockage Facilities – term of January 12, 2008 through January 11, 2013.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-2001

CONSENT RESOLUTION

Rescheduling January 1, 2008 City Commission Meetings

(CR-01)

No budgetary impact.

A resolution rescheduling the January 1, 2008 City Commission Conference and Regular meetings to January 8, 2008 due to the New Year holiday.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-2030

RESOLUTION NO. 07-257

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCHEDULLING THE JANUARY 1, 2008, REGULAR AND CONFERENCE MEETINGS OF THE CITY COMMISSION TO JANUARY 8, 2008.

Amend Operating Budget – Transfer \$150,000

(CR-02)

**Camera Equipment – Wastewater Gravity and Stormwater
Lines Inspection**

\$150,000 transferred from P11247.454, Subfund 01, to PBS660101-6499, Fund 450, Subfund 01.

A resolution amending Fiscal Year 2007-2008 final operating budget, transferring \$150,000 to fund purchase of camera equipment – inspection of wastewater gravity and stormwater lines.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1974

RESOLUTION NO. 07-258

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AMEND THE FINAL BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008 BY APPROPRIATING \$150,000 FROM P11247.454, SUBFUND 01, AND TRANSFERRING INTO PBS660101-6499, FUND 450, SUBFUND 01,

FOR THE PROPRIETARY PURCHASE OF SEWER CLOSED CIRCUIT TV CAMERAS.

Utility Advisory Committee – Term Extension

(CR-03)

No budgetary impact.

A resolution extending the term of the Utility Advisory Committee for a one-year period to expire on December 31, 2008.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-2008

RESOLUTION NO. 07-259

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION NO. 03-17 WHICH ESTABLISHED THE UTILITY ADVISORY COMMITTEE TO EXTEND THE TERM TO DECEMBER 31, 2008.

Task Order 2 – Source Removal of Soils - \$450,000

(CR-04)

Evans Environmental and Geological Science and Management, LLC

Transfer \$450,000 from FD409.01-9901, Fund 409, Subfund 01 to P09921.409-6599, Fund 409, Subfund 02.

A resolution authorizing the proper City Officials to: (1) execute Task Order 2 with Evans Environmental and Geological Science and Management, LLC, in the amount of \$450,000 – source removal of soils along NW 19 Avenue and NW 7 Street right-of-way areas – Project 9921; and (2) transfer \$450,000 to fund this task order.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1986

RESOLUTION NO. 07-260

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE TASK ORDER 2 WITH EVANS ENVIRONMENTAL AND GEOLOGICAL SCIENCE AND MANAGEMENT, LLC, IN THE AMOUNT OF \$450,000 FOR SOURCE REMOVAL OF SOILS ALONG NW 19 AVENUE AND NW 7 STREET RIGHT-OF-WAY AREAS AND AMEND THE 2007-2008 OPERATING BUDGET BY TRANSFERRING AND APPROPRIATING \$450,000 FROM FUND 409, SUBFUND 01 TO FUND 409, SUBFUND 02.

**Amend Operating Budget – Transfer \$160,000
City-Wide Landscaping Improvements Project**

(CR-05)

Transfer \$150,000 from subsidiary account 269-450160, fund type 01, Fund 001, Subfund 01, Commemorative Tree Canopy Trust Fund, and \$10,000 from subsidiary account 269-450112 Fund type 01, Fund 001, Subfund 01, Riverwalk Tree Fund to P16057.331-6510, Landscaping Improvements, Site Improvements, Fund type 10, Fund 331, Subfund 01.

A resolution amending Fiscal Year 2007-2008 final operating budget, transferring \$160,000 – City-wide landscaping improvements.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1968

RESOLUTION NO. 07-

A RESOLUTION AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008 BY TRANSFERRING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$150,000 FROM SUBSIDIARY ACCOUNT 269-450160, COMMEMORATIVE TREE CANOPY TRUST FUND AND \$10,000 FROM SUBSIDIARY ACCOUNT 269-450112, RIVERWALK TREE FUND TO P16057.331-6510, LANDSCAPING IMPROVEMENTS, SITE IMPROVEMENT FUND FOR THE PURCHASE OF TREES FOR PLANTING THROUGHOUT THE CITY, ALONG WITH FERTILIZER.

**Amend Operating Budget and Agreement – URS Corporation
\$49,442 – Emergency Sand Restoration – Beach – NE 16 Street**

(CR-06)

Appropriate \$49,442 from Fund 340, Subfund 02, Acct. 271 Undesignated Fund Balance (screen FAML6400), to P11357.340-6599, Fund 340, Subfund 01.

A resolution authorizing: (1) an emergency agreement with RS Corporation, in an amount not to exceed \$49,442 – facilitate implementation of field permit and address requirements associated with emergency sand restoration at Fort Lauderdale Beach in NE 16 Street area; and (2) amend fiscal year 2007-2008 final operating budget, appropriating \$49,442 to fund this agreement.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-2036

RESOLUTION NO. 07-261

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE APPROVAL OF AN EMERGENCY AGREEMENT WITH URS CORPORATION, PER

SECTION 2-190 OF THE CITY MUNICIPAL CODE, IN THE NOT-TO-EXCEED AMOUNT OF \$49,442, FOR SERVICES TO FACILITATE IMPLEMENTATION OF THE FIELD PERMIT AND ADDRESS THE REQUIREMENTS ASSOCIATED WITH EMERGENCY SAND RESTORATION AT FORT LAUDERDALE BEACH AND AMEND THE 2007-2008 BUDGET TO APPROPRIATE \$49,442 TO FUND THE AGREEMENT.

PURCHASING AGENDA

762-9517 - Change Order 1 – Downtown New River Master Plan - \$53,543.50 – Retail & Real Estate Market Sub-Consultant & Area Boundary Expansion **(PUR-01)**

\$53,543.50 is budgeted in Fund 001, Subfund 01, PLN010101, 3199.

A motion authorizing a change order with Beyer Blinder Belle – retail and real estate market sub-consultant and study area boundary expansion – Downtown New River Master Plan is being presented for approval by the Planning and Zoning Department.

Recommend: Motion to approve.

Vendor: Beyer Blinder Belle, Architects and Planners, LLP
New York, NY

Amount: \$53,543.50

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-2016

The Procurement Services Department has reviewed this item and recommends awarding the contract increase.

Alerting System For Fire Stations 47 & 53 **(PUR-02)**

\$47,708.72 is budgeted in Fund 336, Subfund 01, P10363.336,6599, and \$30,246.72 is budgeted in Fund 468, Subfund 01, P10363.468,6599. Transfer \$69,544.21 from Fund 336, Subfund 01, P10909.336 to P10766.336, 6599.

Purchase Fire Station Alerting System through Motorola for Fire Stations 47 and 53 as part of fire bond project is being presented for approval by Fire Rescue Department.

Recommend: Motion to approve.

Vendor: Motorola, Inc.
Schaumburg, IL

Amount: \$147,499.65

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-1921

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

Proprietary – Resident Beach Parking Cards

(PUR-03)

\$62,500 is budgeted in Fund 461/01, PAR020101, 3999.

Purchase 10,000 pre-programmed Resident Beach Parking Cards from Bytewise Solutions, Inc. is being presented by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Bytewise Solutions, Inc.
Hialeah, FL

Amount: \$62,500.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-1983

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

585-9865 – City-Wide Tree Inventory Services

(PUR-04)

\$26,650 is budgeted in Fund type 10, Fund 129, Subfund 01, GHURR05, 3237.

Purchase City-wide Tree Inventory Services is being presented by Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Earth Advisors, Inc.
Hollywood, FL

Amount: \$26,650.00 (estimated)

Bids Solicited/Rec'd: 693/4

Exhibit: Commission Agenda Report 07-1912

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

Vehicle Replacements – Florida Sheriff's Association Contract

(PUR-05)

\$741,010.00 is budgeted in Fund 583/01, PAR030101, 6416.

Purchase thirty-three vehicle replacements identified in 2007-2008 Fleet Plan and Fleet Services Capital Budget is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Various Vendors (see attached)
Amount: \$741,010.00
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 07-1990

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

Contract Increase – Board and Committee Technical Support (PUR-06)

\$16,920 is budgeted in Fund 001, Subfund 01, CLK010101, 3199.

Increase contract with BIS Digital – technical support to boards and committees is being presented for approval by City Clerk's Office.

Recommend: Motion to approve.

Vendor: Business Information Systems, Inc.
Fort Lauderdale, FL
Amount: \$16,920.00 (estimated increase)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 07-2015

The Procurement Services Department has reviewed this item and recommends approving the requested increase.

482-9856 – Air Conditioning Units – Police Headquarters (PUR-07)

\$27,870 is available in PBS030102, Subfund 01, Subobject 6499 (Capital) Fund 01.

Purchase and installation of three air conditioning units for Police Headquarters is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: HYVAC, Inc.
Deerfield Beach, FL
Amount: \$27,870.00
Bids Solicited/Rec'd: 165/10
Exhibit: Commission Agenda Report 07-1913

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

06-33B Co-Op – Quicklime**(PUR-08)**

\$1,858,152 is budgeted in Fund 450, Subfund 01, PBS670303, 3710 – Fiveash - \$60,000 is budgeted in Fund 450, Subfund 01.

One-year contract for purchase of quicklime is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Chemical Lime Company of Alabama, Inc.
Fort Worth, TX

Amount: \$1,930,000.00 (estimated)

Bids Solicited/Rec'd: 7/3

Exhibit: Commission Agenda Report 07-1917

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

Sole Source Contract – Waste Management - Trash Disposal**(PUR-09)**

\$40,950 is budgeted in Fund 451, Subfund 01, PBS670502, 3228.

One-year contract for grit, rag and trash disposal is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Waste Management, Inc. of Florida
Houston, TX

Amount: \$40,950.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-1963

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

473-9877 – Construction Debris Disposal**(PUR-10)**

Purchases are made on an as-needed basis and charged to the individual operating budgets within Public Works, Subobject 3228.

One-year contract for disposal of construction debris is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: DRD Enterprises, Inc. of Davie
Plantation, FL

Amount: \$96,000.00 (estimated)

Bids Solicited/Rec'd: 540/3

Exhibit: Commission Agenda Report 07-1967

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

482-9891 – Streetlight Pole Setting and Removal (PUR-11)

\$82,775 is available in Fund 001, Subfund 01, PBS030408, 3299.

Two-year contract for setting and removal of streetlight poles and related services is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Signal Technology and Installation Corporation
Fort Lauderdale, FL

Amount: \$82,775.00 (estimated)

Bids Solicited/Rec'd: 629/2

Exhibit: Commission Agenda Report 07-1975

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

Prequalification of Vendors – Water Distribution System Pipe (PUR-12)

No budgetary impact. There is no cost to enter into this contract. Purchases will be made on an as-needed basis and will be charged to the Public Works Operating Budgets, Subobject 5401, and Subobject 3434.

Approval to pre-qualify four vendors for purchase of Water Distribution System Pipe is being presented by Public Works Department.

Recommend: Motion to approve.

Vendor: HD Supply Waterworks, LTD
Atlanta, GA
Ferguson Enterprises, Inc.
Newport News, VA
Florida Irrigation Supply, Inc.
Sanford, FL
Wind Chill Mechanical Corp.
West Park, FL

Amount: \$450,000.00 (not to exceed)
Bids Solicited/Rec'd: 195/5
Exhibit: Commission Agenda Report 07-1977

The Procurement Services Department has reviewed this item and recommends approving purchases from this pre-qualified list.

Amend Operating Budget – Transfer \$160,000 (CR-05)
City-Wide Landscaping Improvements Project

The City Clerk announced the City Manager removed this item from the agenda.

473-9877 – Construction Debris Disposal (PUR-10)

The City Clerk announced the City Manager removed this item from the agenda.

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

Motion made by Vice Mayor Moore and seconded by Commissioner Hutchinson that Consent Agenda Items M-14, M-16, M-18, and CR-06, be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

Edgewood – State Road 84 Sanitary Sewer and Water Main (M-14)
Improvements – Man-Con, Incorporated – Work Order 10580D
And Change Order 1

Commissioner Rodstrom was opposed to the change order.

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

Task Order 35 – CH2M Hill, Inc. - \$6,830,665 (M-16)
WaterWorks 2011 – 2008 Program Management Services

In response to Commissioner Rodstrom, Nanette Woods, CH2MHill, Inc., Program Director said their commitment is to deliver the WaterWorks 2011 program for \$59.8 million with the deleted items.

Commissioner Rodstrom referred to the notation about several items that pipe replacement was deferred because it is in good condition and there is no significant history of repairs and asked why this was originally put in the WaterWorks program if the pipe was in good condition. Albert Carbon, Public Works Director, said when the WaterWorks plan was developed it was a planning document, looking at pipe line age and did not get into the details of it. Before preliminary design, the pipe line was evaluated.

In response to Commissioner Rodstrom, Mr. Carbon indicated the program is currently at \$768 million, and deleted or delayed projects total approximately \$46 million. Some projects were added also since the plan was developed in 2001. Commissioner Rodstrom asked what assurance is there that some of the pipe replaced since 2001 may not have been necessary. Mr. Carbon said in 2001 a planning document was prepared based on infrastructure age that determined the replacement costs. When the project went into design phase, a further detailed evaluation was conducted and a determination as to replacement or that it could survive longer was made. Pipe that did not need to be replaced was not replaced.

Mayor Naugle commented and listed four reasons to replace pipes.

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

Settlement Agreement – Employment Termination – Richard Milroy (M-18)

Police Captain Maglione, Internal Affairs, announced a clerical amendment. The index code for back pay is 030201, Subobject 1101, Patrol Permanent Salary. The reimbursement in the form of investigative costs is going back into POL030201, Subobject N900, Police Patrol, Miscellaneous Revenue.

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

Amend Operating Budget and Agreement – URS Corporation (CR-06)
\$49,442 – Emergency Sand Restoration – Beach – NE 16 Street

In response to Commissioner Rodstrom, Albert Carbon, Public Works Director, advised that staff met with Steve Higgins, Broward County Beach Restoration Coordinator. Proper testing will be done to ensure that new sand is compatible with the existing sand.

Commissioner Rodstrom referred to her request at the conference meeting that a presentation by Mr. Higgins on beach erosion will be scheduled. The City Manager concurred. Commissioner Rodstrom asked that she be 100% in the loop regarding this matter.

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

Onikusu Judo Club
NAACP Expression of Appreciation to Police Department (OB)

Vice Mayor Moore introduced Marsha Ellison, President of National Association for the Advance of Colored People (NAACP), Fort Lauderdale, who outlined Onikusu Judo Club under their Back to School - Stay in School Program. NAACP entered into a partnership with the City's Police Department regarding this program.

Fort Lauderdale Police Officer Ghalib Carmichael, chief instructor thanked the Police Department for their contribution to this club, and noted because of this some of the participating children now rank nationally. He introduced these youth.

Ms. Ellison recognized Bruce Roberts, Police Chief, and Police Major Anthony Williams for the Police Department's contributions.

RESOLUTIONS

Site Plan Level II – Extension of Time – 300 Third (R-01)
Mixed Use – 163-R-04

No budgetary impact.

Applicant: Las Olas Properties, Inc.
Location: 300 NE 3 Avenue
Zoning: Regional Activity Center – City Center RAC-CC

Vice Mayor Moore introduced the following resolution:

RESOLUTION NO. 07-262

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN EXTENSION OF TIME OF A DEVELOPMENT PLAN APPROVING A DEVELOPMENT ON PROPERTY LOCATED AT 300 NE 3RD AVENUE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only.

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

Mayor Naugle thought extensions were not being approved for projects not ready to move forward. Robert Lochrie, representing the Applicant, said they have been working

on resolving the conflict which exists between the City’s Downtown Master Plan and the Broward County regulations relating to corner cords.

Mayor Naugle asked if the project could be redesigned to accept the County’s restriction. Mr. Lochrie explained they would then not be in compliance with the master plan which requires that they deal with the restriction. If the issue cannot be resolved, redesign may be an alternative. In further response to Mayor Naugle as to when they anticipate moving forward, Mr. Lochrie said the building permit is ready to go, but there are several relatively minor comments and this one large outstanding issue. They cannot secure a permit until the County Engineer signs off. He hoped to resolve the issue within the period of time requested.

Mayor Naugle asked if the Applicant is scheduled to appear before the County Commission. Mr. Lochrie said no. At the last meeting with the County in October, the County indicated they would continue to review this and respond. If a response is not received, they plan to pursue the matter with the County Commission probably in February. Mayor Naugle was satisfied with the February commitment.

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

_____:

**No Objection To Plat Note Amendment – Kimberly Plat (R-02)
Pier 66 – 2301 SE 17 Street – 1-R-07(A)**

No budgetary impact.

Applicant: 2301 SE 17th Street, LLC/BRE-Pier 66 Development, LLC
Location: 2301 SE 17th Street
Zoning: Boulevard Business B-1

Vice Mayor Moore introduced the following resolution:

RESOLUTION NO. 07-254

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, EXPRESSING NO OBJECTION TO A CHANGE TO A NOTE ON A PLAT KNOWN AS “KIMBERLY PLAT.”

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

**Reimbursement Restriction Release – Dixie Court Apartments (R-03)
\$65,000 – Community Development Block Grant Funds -
Housing Authority**

No budgetary impact.

Vice Mayor Moore introduced the following resolution:

RESOLUTION NO. 07-255

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RELEASE FROM REIMBURSEMENT RESTRICTIONS AS TO THE HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE FOR FUNDS ALLOCATED FOR THE REHABILITATION OF THE DIXIE COURT APARTMENTS SUBJECT TO CERTAIN CONDITIONS AND LIMITATIONS.

Which resolution was read by title only.

Vice Mayor Moore asked whether release of the restrictions would have anything to do with income levels of the individuals residing on the property. Margarett Hayes, Community Development Manager, replied no.

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

ORDINANCES

Code Amendment – Chapter 25, Article VII (O-01)
Regulations For Placement of Newsracks in City Rights-of-Way

FY 07/08 fee revenue estimate of \$31,250 Fund 001, Subfund 01, PBS040101-J006 will offset cost of enforcement Fund 001, Subfund 01, PBS401010-1101.

Vice Mayor Moore introduced the ordinance on first reading:

Vice Mayor Moore left the meeting at approximately 8:07 p.m.

ORDINANCE NO. C-07-112

AN ORDINANCE AMENDING CHAPTER 25, ARTICLE VII, MOVEABLE FIXTURES WITHIN THE RIGHT-OF-WAY, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING THAT A PORTION OF THE GALT OCEAN MILE BE INCLUDED AS A PEDESTRIAN INTENSIVE AREA; PROVIDING FOR THE DELETION OF NEWSRACK ENHANCEMENT AREAS AND THE NORTH AND SOUTH NEWSRACK AREAS FOR THE GALT OCEAN MILE; PROVIDING FOR A CERTIFICATE OF COMPLIANCE TO PLACE NEWSRACKS IN RIGHT RIGHTS-OF-WAY; PROVIDING FOR AN APPLICATION FEE FOR CERTIFICATES OF COMPLIANCE; PROVIDING FOR THE USE OF MODULAR NEWSRACKS, STANDARDS FOR MAINTENANCE, APPEARANCE AND INSTALLATION; PROVIDING NEW INSURANCE REQUIREMENTS; PROVIDING FOR ENFORCEMENT OF THE PROVISIONS OF THIS

ARTICLE AND PROVIDING FOR SEVERABILITY AND PROVIDING
FOR AN EFFECTIVE DATE.

Which ordinance was read by title only.

Dana McElroy, representing the Sun-Sentinel, was concerned about that the black color could get very hot and there might be a safety issue. Mayor Naugle believed a Sun-Sentinel publication, City Link, has black units. Ms. McElroy was not sure.

Commissioner Rodstrom could not support this item. Even though these units are an improvement, she was concerned this end product is not as good as it could be.

Commissioner Teel noted all of the units on the Galt Ocean Mile have been black for some eight years, and there has never been a concern. She felt it is a good choice because of uniformity.

In response to Vice Mayor Moore, Cate McCaffrey, Director of Business Enterprises, said the specifications are standard and call for the units to be made of metal.

Vice Mayor Moore believed the fee should be higher. Ms. McCaffrey noted after Commission discussion, the application fee was raised to \$125, with no annual fee.

Motion made by Vice Mayor Moore to include a \$25 annual fee.

Mayor Naugle said he had the same concern and added it could be added in the future.

Vice Mayor Moore noted the public right-of-way is being used. He thought it is a revenue source for this government. At a minimum the program should pay for itself.

The motion died for lack of a second.

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

**Prohibition – Members of City Commission
Soliciting Gifts or Donations For Third Parties**

(O-02)

No budgetary impact.

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

ORDINANCE NO. C-07-110

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA,
PROHIBITING MEMBERS OF THE CITY COMMISSION FROM
SOLICITING GIFTS OR DONATIONS FOR THIRD PARTIES FROM ANY
PERSON OR ENTITY THAT IS DOING BUSINESS WITH THE CITY,
PROHIBITING MEMBERS OF THE CITY COMMISSION FROM USING
CITY RESOURCES OR THEIR ELECTED POSITION TO SOLICIT ANY
DONATIONS, PROVIDING FOR ENFORCEMENT AND PENALTIES,

AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS AND AN EFFECTIVE DATE.

Which ordinance was read by title only.

Vice Mayor Moore said the Fire Rescue Department uses the voice mail system to solicit Christmas toys and announces that individuals may bring the toys to City locations, yet members of the Commission may not use this method to assist constituents.

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

Mayor Naugle believed the Fire Rescue Department asked and received authorization from the Commission to use City facilities.

Code Amendment – Section 2-262 – Lobbyist Reporting Requirement – City Commission Members Soliciting Gifts Or Donations For Third Parties (O-03)

No budgetary impact.

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

ORDINANCE NO. C-07-111

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 2-262, LOBBYING REGISTRATION AND STATEMENTS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY REQUIRING ANY LOBBYIST WHO WAS SOLICITED BY A MEMBER OF THE CITY COMMISSION FOR A DONATION AND ANY LOBBYIST WHO GAVE A DONATION TO A MEMBER OF THE CITY COMMISSION FOR ANY THIRD PARTY TO REPORT QUARTERLY EACH SUCH OCCASION, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

Which ordinance was read by title only.

Vice Mayor Moore asked what verification a lobbyist must offer. The City Attorney said that a sworn statement is required.

Vice Mayor Moore was concerned that someone may not like an action taken by a public official and as such file such an affidavit regarding solicitation. He asked how this could be prevented. The City Attorney did not think it is possible to prevent that from occurring. A sworn statement would be given in front of an individual authorized to take an oath. If the individual lies under oath, it is a crime. It would have to be proved.

Commissioner Hutchinson asked who would be the judge and jury on such a matter. The City Attorney said it would be a special master.

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

Vacate Alleyway – NE 5 Street – Victoria Park (O-04)
Dawn DeMartini – 5-P-07

No budgetary impact.

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

ORDINANCE NO. C-07-109

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF NORTHEAST 5 STREET, AS SHOWN ON THE RE-AMENDED PLAT OF A PORTION OF "VICTORIA PARK," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 15, PAGE 52 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING BETWEEN VICTORIA TERRACE AND THE KAREN CANAL, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

Advisory Board /Committee Appointments (OB)

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

Board of Trustees of the Sean Jones
General Employees' Retirement
System

Community Appearance Board Jason Johnson

Vice Mayor Moore introduced a written resolution entitled:

RESOLUTION NO. 07-256

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

Commission Reports**Property Tax Referendum**

Commissioner Hutchinson noted the Broward League of Cities adopted a resolution relating to the tax issue on the January 29th ballot. The League is putting together two town hall forums in advance of the January 29th referendum. She announced particulars about the forums and provided the information.

Mayor Naugle noted that Florida Power and Light Company has made the largest contribution in favor of the proposal.

Vice Mayor Moore suggested the forum dates be posted on the City web site.

Broward Independent Urban Fire District

Commissioner Hutchinson referred to the Broward Independent Urban Fire District. Municipalities may create a taxing district to fund fire service. There are concerns as to who would be in control and how the monies would be distributed. She thought the Commission may want to discuss this at a future conference meeting. She provided the House of Representatives 2008 Economic Impact Statement on the subject.

James Eddy, Fire Rescue Chief, indicated he has many reservations about it and felt it is worth discussion. Commissioner Hutchinson felt the subject warrants a full conference agenda item. She felt it may gain headway because the State is interested in taking away municipal funding.

Winterfest Boat Parade

Commissioner Hutchinson noted that the boat parade was spectacular.

Mayor Naugle congratulated staff who worked with the Winterfest organization. He also thanked the Seminole Tribe of Florida who do many good things in the community.

There being no other matters to come before the Commission, the meeting was adjourned at 6:49 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk