

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
June 17, 2008**

Meeting was called to order at 6 p.m. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Christine Teel
Vice Mayor Charlotte E. Rodstrom
Commissioner Carlton B. Moore
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. Glenn Grant

Invocation was offered by Pastor Fidel Gomez, Calvary Chapel of Fort Lauderdale, followed by the recitation of the Pledge of Allegiance.

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

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to approve the minutes of the May 20, 2008 Conference Meeting, and minutes of the June 3, 2008 Regular Meeting, and the agenda for the meeting of June 317 2008. Roll call showed: YEAS: Commissioners Moore, Hutchinson and Teel, Vice Mayor Rodstrom, and Mayor Naugle. NAYS: None.

Presentations

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

Vice Mayor Rodstrom recognized Lynda & Tim Davey who reside at 123 NE 17 Avenue as recipients of the WOW Award in District II. Mr. Davey thanked the Commission for the award.

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- 2. Community Appearance Board – WOW Award (PRES-02)
District III**

Commissioner Moore recognized Carolyn Dandy who resides at 2660 NW 17 Street as recipient of the WOW Award in District III. Mrs. Dandy thanked the Commission for the award.

3. National Recreation and Parks Month – July 2008 (PRES-03)

Commissioner Moore left the dais at approximately 6:08 p.m.

Commissioner Hutchinson presented a proclamation designating July, 2008, as “National Recreation and Parks Month” to Mark Hartman, Chairman of the Parks, Recreation & Beaches Advisory Board. Mr. Hartman commended City staff for being great custodians of the park system. He announced upcoming events.

Commissioner Moore returned to the dais at approximately 6:10 p.m.

Consent Agenda (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – 55th Annual David Deal Playday Events (M-01)

\$22,000 is budgeted in GF001 Subfund 01, PKR010402-3203. \$25,000 is budgeted in GF001 Subfund 01, PKR030210-3934.

A motion authorizing City Parks and Recreation Department to conduct 55th Annual David Deal Playday Events, to be held in 2008 on July 30, August 1 and August 2, at Joseph C. Carter Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0762

**Sistrunk Park Addition – Open Space 88 - Purchase (M-02)
And Sale Agreement – Broward County Land
Preservation Bond Program**

No current year budget impact. Future funds in the amount of \$70,000 will be available under Park Impact Fee Trust Account, 219-450220, Fund Type 01, Fund 001.

A motion authorizing the proper City Officials to execute a purchase and sale agreement, in the amount of \$1,975,000 – acquisition of Open Space Site 88 – 115 NW 6 Street – Sistrunk Park Addition – Broward County Land Preservation Bond Program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0887

Task Order 62 – Camp Dresser & McKee Inc. - \$89,056 (M-03)
Effectiveness of Sewer Lateral Connection Technologies

Transfer \$89,056 from P11197.454-6599, Water and Sewer Recap to P11401, 454-6599, both in Fund 454, Subfund 01.

A motion authorizing the proper City Officials to: (1) execute Task Order 62 with Camp Dresser and McKee Inc., in the amount of \$89,056 – Evaluation of Effectiveness of Sewer Lateral Connection Technologies – Project 11401; and (2) transfer \$89,056 to fund this task order.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0744

Task Order – Chen and Associates Consulting Engineers, Inc. (M-04)
\$75,000 – Renovation and ADA Upgrade – Parking Lots –
Engineering Design Services

\$75,000 is available in P10768.461-6599, Fund 461, Subfund 03.

A motion authorizing the proper City Officials to approve a Task Order with Chen and Associates Consulting Engineers, Inc., in an amount of \$75,000 – renovation and ADA upgrade of City parking lots at various locations – Project 10768.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0824

Amendment 1 To Task Order 45 – CMTS Florida, LLC - (M-05)
\$14,114.25 – Inspection Services – Riverside Park, South
Victoria Park Road – SE 2 Court

Transfer \$15,807.96 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10578.482-6599.

A motion authorizing the proper City Officials to: (1) execute Amendment 1 to Task Order 45 with CMTS Florida, LLC., in the amount of \$14,114.25 – utility construction inspection services – Riverside Park and South Victoria Park Road – SE 2 Court Pump

Station Construction, Package 2 – Project 10578E; and (2) transfer \$15,807.96 to fund this amendment and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0798

Amendment 1 To Task Order 50 – CMTS Florida, LLC. - (M-06)
\$24,343.18 – Inspection Services – Edgewood – State Road 84

Transfer \$27,264.36 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10580.482-6599.

A motion authorizing the proper City Officials to: (1) execute Amendment 1 to Task Order 50 with CMTS Florida, LLC, in the amount of \$24,343.18 – utility construction inspection services – Edgewood Basins B, D, F, G, State Road 84 – Project 10580D; and (2) transfer \$27,264.36 to fund this amendment and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0799

Work Order 10980 - \$6,488,726.76 and Change Order 1 - (M-07)
\$196,075.25 – Man-Con, Incorporated – Sanitary Sewers – Twin Lakes

Transfer \$7,486,978.25 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10980.482-6599.

A motion authorizing City Officials to: (1) award and execute Work Order 10980 to Man-Con, Incorporated, in the amount of \$6,488,726.76 – construction of sanitary sewers – Twin Lakes – Project 11070B, (2) Change Order 1, in the amount of \$196,075.25 – additional work, and (3) transfer \$7,486,978.25 to fund work order, change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0813

Change Order 2 – Weekley Asphalt Paving, Inc. - \$648,657 (M-08)
Increase Annual Contract – Asphaltic Concrete Pavement Surfacing

Transfer \$761,727.75 from P00468.332, Street Resurfacing Recap to P11186.332, the following all in Fund 332, Subfund 01, Subobject 6599 (funding to fund the change order and engineering fees) (transfer moves the remaining balance from the Recap account and slightly exceeds cost of the change order plus fees).

A motion authorizing: (1) Change Order 2 with Weekley Asphalt Paving, Inc., in the amount of \$648,657 – increase annual asphaltic contract to repave streets affected by WaterWorks 2011 projects; and (2) transfer funds.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0838

Operating Budget Line Item Transfer – City Utilities (M-09)
Pipeyard Depot

Increase Fund 450, Subfund 01, PBS704135-5401 Purchases by \$400,000 offset by increase to Fund 450, Subfund 01, PBS704135-5404, Issues by (-\$400,000).

A motion approving a line item transfer in Fiscal Year 2007-2008 operating budget, increasing inventory purchases budget whereby departments are charged for materials as needed from City Utilities Pipeyard Depot.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0879

Civil Engineering Utility Design Consultant Services - (M-10)
Continuing Contract Keith and Schnars, P.A.

No budgetary impact.

A motion accepting the Consultants' Competitive Negotiation Act Selection Committee's recommendation of ranking firms for civil engineering utility design consulting services – continuing contract and authorizing proper City Officials to commence negotiations with first-ranked proposer – Keith and Schnars, P.A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0815

Contract Extension – Testing and Laboratory Services (M-11)
Nodarse & Associates Inc.

No initial cost to renew contract. Staff will spend in accordance with per unit pricing and available budget.

A motion authorizing the proper City Officials to execute the first one-year extension to agreement with DeRose Design Consultants Inc. – structural engineering consultant services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0812

Agreement Extension – Structural Engineering Consultant Services – DeRose Design Consultants, Inc. (M-12)

There is no cost to enter into this contract. Staff will spend in accordance with per unit pricing secured through the competitive bidding process and available budget.

A motion authorizing the proper City Officials to execute the first one-year extension to agreement with DeRose Design Consultants, Inc. – structural engineering consultant services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0823

Speed Hump Installation – SW 7 Street and SW 9 Avenue - \$25,000 (M-13)

\$25,000 is budgeted P00423.331-6599, Miscellaneous Transportation Projects, Fund 331, Subfund 01.

A motion authorizing installation of speed humps on SW 7 Street, between SW 4 Avenue and Coconut Drive, and on SW 9 Avenue, between Davie Boulevard and SW 7 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0832

Additional Acoustical Consulting Services – Noise Consultancy, LLC - \$3,481.17 – Chapter 17, Code of Ordinances, Noise Control (M-14)

\$3,481.17 from Fund 001, Subfund 01, BLD 010101, Subobject 3199.

A motion authorizing payment in the amount of \$3,481.17 for additional acoustical consulting services provided by Noise Consultancy, LLC – Chapter 17, Code of Ordinances, Noise Control.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0870

Settlement of General Liability Claim GL 02-076 - \$50,000 (M-15)

Funds are budgeted in INS010101/5113 (General Liability Claims), Fund 543/01. There are sufficient funds to cover the amount of \$50,000.

A motion authorizing settlement of General Liability Accident Claim GL 02-076 (Lovetta Patterson) - \$50,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0837

**Fiscal Year 2006-2007 Annual Audit Services – Ernst & Young (M-16)
LLP – Increase in Fees - \$68,000**

\$68,000 budgeted in various funds. Please see Exhibit 1.

A motion to approve an increase in fees in the amount of \$68,000 for services provided by Ernst & Young LLP – Fiscal Year 2006-2007 annual audit.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0844

**Sistrunk Boulevard Streetscape Enhancements – Title (M-17)
Searches – Landmark Title Services, Inc. - \$26,500**

\$26,500 is provided from NPF CRA via P10448.320, Fund 320, 6599, Subfund 01. The CRA is anticipated to authorize spending the funds at its meeting on 6-17-08.

A motion authorizing payment to Landmark Title Services, Inc., in the amount of \$26,500 – title searches – Sistrunk Boulevard streetscape enhancements.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-0882

CONSENT RESOLUTION

**Budget Amendment – Fiscal Year 2007-2008 – 2008 Series (CR-01)
Water and Sewer Bond Payment - \$4,045,595**

Transfer \$4,045,595 from Fund 450, Subfund 01, FD450.01-9901 to Fund 450 Subfund 02, REV2008, 450-7201.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-0828

RESOLUTION NO. 08-131

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 ACCEPTING \$4,045,595 FROM FUND 450, SUBFUND 01, FD450.01-9901 AND TRANSFERRING-IN TO FUND 450, SUBFUND 02, REV2008.450-7201 TO INCLUDE THE SEPTEMBER 1, 2008 PAYMENT FROM THE 2008 SERIES WATER & SEWER BOND.

Amend Operating Budget - \$500,000 Appropriation and \$250,000 Transfer – City Hall Air Conditioner Chiller Units (CR-02)

Transfer \$500,000 from Undesignated Fund Balance in Fund 328 (screen 6400 – no subfund – account 271) to P11299.328-6599, Fund 328 Subfund 01; and transfer \$250,000 from PBS030102-6499 (Other Equipment) Fund 01, Subfund 01, to P11299.331-6599, Fund 331, Subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-0826

RESOLUTION NO. 08-132

A RESOLUTION OF THE CITY COMMISSION 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, 2007 AND ENDING SEPTEMBER 30, 2008, BY APPROPRIATING FUNDS IN THE AMOUNT OF \$500,000.00 FROM FIFC 2002 LOAN CONSTRUCTION FUND 328, ACCOUNT 271 TO FUND 328 AND TRANSFERRING FUNDS IN THE AMOUNT OF \$250,000 FROM FUND 01 TO FUND 331 FOR THE REPLACEMENT OF TWO CITY HALL AIR CONDITIONER CHILLER UNITS.

Amend Operating Budget – Appropriation - \$523,000 Utility Billing System Software Replacement (CR-03)

Transfer \$523,000 from Fund 409, Subfund 01, FD409.01-9901 Sanitation Fund Balance to Fund 409, Subfund 02, P11139.409-6599 Utilities Billing System Replacement.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-0827

Amend Operating Budget – Transfer \$275,000 - Police Hand-Held Radios (CR-04)

Transfer \$275,000 from Undesignated Fund Balance in Fund 331 (screen 6400 – no subfund account 271) to P11207.331-6599, Fund 331, Subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-0836

RESOLUTION NO. 08-133

A RESOLUTION OF THE CITY COMMISSION 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, 2007 AND ENDING SEPTEMBER 30, 2008, BY APPROPRIATING \$275,000 FROM UNDESIGNATED FUND BALANCE, FUND 331, SUBFUND 271, TO P11207.331-6599, FUND 331, SUBFUND 01.

PURCHASING AGENDA

Motorola Radio Purchases – Police and Fire Rescue Departments (PUR-01)

\$348,000 is budgeted in Fund 129, Subfund 01, GUAS108, 6401 - \$275,000 will be available in Fund 331, Subfund 01 – CIP Project P11207, 6599, contingent upon Commission approval at CAR 08-0836 (Exhibit 1).

Purchase Motorola radios and related accessories for Police and Fire-Rescue Departments is being presented by Information Technology Services Department.

Recommend: Motion to approve.

Vendor: Motorola, Inc.
Schaumburg, IL

Amount: Per Unit Prices

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 08-0820

The Procurement Services Department has reviewed this item and recommends approving Motorola purchases.

175-9715 – Utility Billing System Software Integration and Third-Party Software Maintenance (PUR-02)

Transfer \$1,477,000 from P11197.454-6599, Water & Sewer Fund Recap to P11139.454 Utility Billing System Replace, both in Fund 454-01; transfer \$154,000 from P00380-6599 Stormwater Recap to P11139.470-6599 Utility Billing System Replace, both in Fund 470-02. Also, \$523,000 will be available in P11139.409-6599 Fund 409-02 upon approval of budget amendment in CAR 08-0827. \$15,000 for maintenance available in PBS010601-3401 Fund 450-01, Computer Maintenance.

Contract to purchase a new Utility Billing System Software Integration and Third-Party Software Maintenance for billing and collection of water, sewer, sanitation, stormwater, utility taxes and fees is being presented for approval by the Finance Department.

Recommend: Motion to approve.

Vendor: N. Harris Computer Corporation (Cayenta Division)
Ontario, Canada

Amount: \$1,822,760.00

Bids Solicited/Rec'd: 449/7

Exhibit: Commission Agenda Report 08-0817

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

Proprietary – Inspection and Maintenance Services (PUR-03)
Lohmeyer Cryogenic Oxygen Generation Plant

\$75,000 is available in Fund 451, Subfund 01, PBS670502, 3199.

Purchase inspection and maintenance services for Lohmeyer Cryogenic Oxygen Generation Plant turnaround is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Air Products and Chemicals, Inc.
Allentown, PA

Amount: \$75,000.00 (not to exceed)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 08-0759

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

483-9995 – Safety Shoes (PUR-04)

No cost to enter into contract. Staff will spend in accordance with per unit pricing secured through the competitive bidding process and available budget.

One-year contract to multiple vendors for purchase of safety shoes is being presented for approval by the Public Works Department.

Recommend: Motion to approve.
Vendor: See attached
Amount: Per Unit Prices
Bids Solicited/Rec'd: 39/6
Exhibit: Commission Agenda Report 08-0819

The Procurement Services Department has reviewed this item and recommends an award to each of the six listed vendors.

Proprietary – Variable Speed Motor Drive and Speed Controller – Lohmeyer Wastewater Treatment Plant (PUR-05)

\$13,175 is available in Fund 451, Subfund 01, P11339, 6599.

Purchase variable speed motor drive and speed controller for Lohmeyer Wastewater Treatment Plant is being presented for approval by the Public Works Department.

Recommend: Motion to approve.
Vendor: Drive Source International, Inc.
Hillsboro Beach, FL
Amount: \$13,175.00
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 08-0816

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

Sodium Hypochlorite – Peele-Dixie Water Treatment Plant (PUR-06)

\$115,260 is available in Fund 450, Subfund 01, PBS670305, 3799.

One-year contract for purchase of sodium hypochlorite for Peele-Dixie Water Treatment Plant is being presented for approval by the Public Works Department.

Recommend: Motion to approve.
Vendor: Allied Universal Corp.
Miami, FL
Amount: \$115,260.00 (Not to Exceed)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 08-0800

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

Vehicle Replacement – Florida Sheriff’s Association (PUR-07)
Contract – 06-14-0821

\$20,948 is budgeted in Fund 583, Subfund 01, PAR030101, 6416.

Purchase one vehicle replacement identified in 2007-2008 Fleet Plan and approved in 2007-2008 Fleet Services Capital Budget appropriation is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Duval Motor Company, dba/Duval Ford
 Jacksonville, FL

Amount: \$20,948.00

Bids Solicited/Rec’d: N/A

Exhibit: Commission Agenda Report 08-0833

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

Amend Operating Budget – Appropriation - \$523,000 (CR-03)
Utility Billing System Software Replacement

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

175-9715 – Utility Billing System Software Integration (PUR--02)
And Third-Party Software Maintenance

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

Vehicle Replacement – Florida Sheriff’s Association (PUR-07)
Contract – 06-14-0821

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

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

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item M-14 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

The City Clerk said that staff is requesting a correction to CR-04. It is an appropriation, not transfer.

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

**Fiscal Year 2006-2007 Annual Audit Services
Ernst & Young LLP – Increase in Fees - \$68,000**

(M-14)

This item was removed from the consent by Mayor Naugle so that he could vote no.

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

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

RESOLUTIONS

**Volkmeier Plat – Single Family Dwelling – 1130 SW 7 Street
Hans P. Volkmeier and Gisela A. Wenkel – Case 3-P-08**

(R-01)

No budgetary impacts.

**Applicant: Hans P. Volkmeier and Gisela A. Wenkel
Location: East of SW 12 Avenue and South of SW 7 Street
Zoning: Residential Single Famile – Low-Medium Density RS-8
Future Land Use: Low-Medium**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 08-126

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

Which resolution was read by title only.

Vice Mayor Rodstrom disclosed that she had spoken with the applicant and Courtney Crush.

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

**Vacate Easement – 525 NE 5 Terrace
Minto Henry Square, LLC – Case 1-M-08**

(R-02)

No budgetary impacts.

**Applicant: Minto Henry Square, LLC
Location: 525 NE 5 Terrace**

Zoning: Regional Activity Center – City Center RAC-CC

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 08-127

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE UTILITY EASEMENT RETAINED OVER THE VACATED RIGHT-OF-WAY FOR NORTHEAST 5TH TERRACE. UPON ITS VACATION BY ORDINANCE C-82-96, RECORDED IN OFFICIAL RECORDS BOOK 10519, PAGE 73, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN NORTHEAST 5TH AND 6TH STREETS ALONG NORTHEAST 5TH TERRACE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

Site Plan Level IV – Extension of Time – Office Retail Building – Case 1-ZR-05 (R-03)

No budgetary impact.

Applicant: E.E.C. Group, LLC
Location: 1033 NW 6 Street
Zoning: Community Business CB, Exclusive Use – Parking Lot X-P
Future Land Use: Northwest Regional Activity Center

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 08-128

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 1033 N.W. 6TH STREET (SISTRUNK BOULEVARD) IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

SHIP Affordable Housing Advisory Committee - Appointment of Members (R-04)

No budgetary impact.

The City Clerk said that the individuals appointed to this committee are:

Tam English, Jonathan Jordan, Rene Lepine, William Isenberg, Greg Stuart, Brad Hubert, Margie Alexander, Carolyn Dandy, and Peter Henn (Mr. Henn is a consensus appointment).

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 08-129

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING SHIP AFFORDABLE HOUSING ADVISORY COMMITTEE 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 Moore, Hutchinson and Teel, Vice Mayor Rodstrom, and Mayor Naugle. NAYS: None.

PUBLIC HEARINGS

Relief From Zoning For Public Purpose Use Including Site Plan Review – City Maintenance Building – Holiday Park Case 23-R-07

(PH-01)

No budgetary impact.

**Applicant: City of Fort Lauderdale
Location: 844 NE 7 Avenue
Zoning: Park P
Future Land Use: Park – Open Space**

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

Commissioner Moore introduced the ordinance on FIRST Reading:

ORDINANCE NO. C-08-27

AN ORDINANCE APPROVING A PUBLIC PURPOSE USE, AN OUTDOOR STORAGE AREA, THAT DOES NOT MEET THE USE AND STACKING REQUIREMENTS IN A PARK ("P") ZONING DISTRICT AS PROVIDED IN THE UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR"), WHICH SITE IS MORE FULLY DESCRIBED AS THE SOUTH 10 FEET OF TRACTS "A," ALL OF TRACT "B," "NOBLES ADDITION TO PROGRESSO," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 55, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; TOGETHER WITH THE SOUTH 10 FEET OF LOT 42, BLOCK 250 "PROGRESSO" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18 OF THE

PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LOCATED IN HOLIDAY PARK, NORTH OF SANDY NININGER DRIVE ON THE EAST SIDE OF NORTHEAST 7TH AVENUE; AND GRANTING RELIEF FROM THE ULDR REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE ULDR OF THE CITY OF FORT LAUDERDALE, FLORIDA.

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

**Vacate Alley –Holiday Park – City of Fort Lauderdale
City Maintenance Building – Case 1-P-07**

(PH-02)

No budgetary impact.

Applicant: City of Fort Lauderdale
Location: 844 NE 7 Avenue – Holiday Park

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

Commissioner Hutchinson introduced the ordinance on FIRST Reading:

ORDINANCE NO. C-08-28

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL OF THE ALLEY RESERVATION LYING OVER AND ACROSS THE EAST 7.5 FEET OF TRACTS "A" AND "B," "NOBLES ADDITION TO PROGRESSO," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 55, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED IN HOLIDAY PARK, NORTH OF SANDY NININGER DRIVE AND EAST OF NORTHEAST 7TH AVENUE, 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 Moore, Hutchinson and Teel, and Mayor Naugle. NAYS: Vice Mayor Rodstrom.

**Rezoning To General Business – 416 NW 7 Terrace and
725 NW 3 Street – Mount Hermon African – American Methodist
Episcopal Church – Case 3-Z-08**

(PH-03)

No budgetary impact.

**Applicant: Mount Hermon African-American Methodist
Episcopal Church**
Location: 416 NW 7 Terrace and 725 NW 3 Street
Current Zoning: Residential Multi-Family Mid-Rise – Medium High

Density RMM-25
Proposed Zoning: General Business B-2
Future Land Use: Northwest Regional Activity Center NW-RAC

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

Commissioner Moore introduced the ordinance on FIRST Reading:

ORDINANCE NO. C-08-29

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDEDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO B-2, LOTS 31 AND 32, BLOCK 19, OF "NORTH LAUDERDALE," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 48; AND LOTS 19 THROUGH 23, AND THE SOUTH HALF OF THE ABUTTING VACATED 10 FOOT ALLEY IN BLOCK A OF "FORT LAUDERDALE LAND & DEVELOPMENT CO. SUBDIVISION OF BLOCK 6, FORT LAUDERDALE, FLORIDA," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 57, BOTH OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LOCATED ON BOTH SIDES OF NORTHWEST 4TH STREET NEAR ITS INTERSECTION WITH NORTHWEST 7TH TERRACE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

Rezoning To General Business – Vertical Yacht Club at Marina Mile – VYCO I New River LLC – 3000 State Road 84 – Case 9-Z-07 **(PH-04)**

No budgetary impacts.

Applicant: VYCO I New River LLC
Location: 3000 State Road 84
Current Zoning: Broward County – Commercial Warehouse C-1
Proposed Zoning: City – General Business B-2
Future Land Use: Industrial

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

Commissioner Hutchinson introduced the ordinance on FIRST Reading:

ORDINANCE NO. C-08-30

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM BROWARD COUNTY "C-1" TO CITY OF FORT LAUDERDALE "B-2," LANDS LYING BETWEEN STATE ROAD 84 AND INTERSTATE 595, BOUNDED ON THE WEST BY THE SOUTH FORK NEW RIVER AND EXTENDING APPROXIMATELY 340 FEET EAST OF SAID SOUTH FORK, ALSO KOWN AS PARCEL "A" OF THE UNRECORDED "VERTICAL YACHT STORAGE PLAT," IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERTO TO INCLUDE SUCH LANDS.

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

Program Amendments – Community Development Block Grant And Housing Opportunities For Persons With HIV/AIDS (PH-05)

No budgetary impact.

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

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

Annie Beck House – Middle River Terrace Park – Broward Trust For Historic Preservation, Inc. – Fifty-Year Lease (PH-06)

No budgetary impact.

Mark Hartman, Chair, Parks, Recreation and Beaches Advisory Board, said that he is the immediate past president of Middle River Terrace Neighborhood Association. He said the Annie Beck House is important to this neighborhood and the community. It represents public open green space in a distressed neighborhood. Anything that can be done to promote the addition of land to this park through Broward County bond program would be a positive.

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

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 08-130

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO CITY CHARTER SECTION 8.13 AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIFTY (50) YEAR LEASE FOR USE OF PREMISES LOCATED WITHIN MIDDLE RIVER TERRACE PARK, SAID PROPERTY COMMONLY KNOWN AS ANNIE BECK HOUSE, MORE PARTICULARLY DESCRIBED BELOW, TO BROWARD TRUST FOR HISTORIC PRESERVATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION FOR USE OF THE PROPERTY AS A CIVIC FACILITY AND EDUCATION CENTER, SUBJECT TO CERTAIN TERMS AND CONDITIONS.

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

ORDINANCES

Code Amendment – Chapter 28, Water, Wastewater, And Stormwater – Clean Water Act (O-01)

No budgetary impact.

Commissioner Hutchinson introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-08-26

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED “WATER, WASTEWATER, AND STORMWATER,” BY AMENDING ARTICLE II, SEWERS AND SEWAGE DISPOSAL, DIVISION I. GENERALLY, SECTION 28-26(75)d; BY AMENDING ARTICLE V, SEWER USE REGULATIONS, DIVISION 2. GENERAL SEWER USE REQUIREMENTS, SECTION 28-207; DIVISION 4. WASTEWATER DISCHARGE PERMIT REQUIREMENTS, SECTIONS 28-212 AND 28-213; DIVISION 5, REPORTING REQUIREMENTS, SECTIONS 28-221 AND 28-231; PROVIDING FOR MODIFICATIONS TO EFFLUENT LIMITATIONS, PRE-TREATMENT REQUIREMENTS AND STANDARDS OF PERFORMANCE TO COMPLY WITH THE CLEAN WATER ACT AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) RULE 62-625, F.A.C.; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

Amendments To City Charter – Clarifying Clerk and Auditor Authority To Appoint – Supervise Assistants (O-02)

No budgetary impact.

Commissioner Hutchinson introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-08-25

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR THE CITY CLERK'S APPOINTMENT OF ASSISTANT CITY CLERKS AND FOR THE CITY AUDITOR'S APPOINTMENT OF ASSISTANT CITY AUDITORS, PROVIDING FOR APPROVAL BY THE ELECTORS, AND PROVIDING FOR SEVERABILITY, FOR REPEAL OF CONFLICTING ORDINANCE PROVISIONS AND FOR AN EFFECTIVE DATE.

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

**RFP 385-9946 Neighborhood Development Criteria Initiative
Consulting Services****(OB)**

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to award to the first-ranked proposer, Winter & Company. Roll call showed: YEAS: Commissioners Moore and Hutchinson. NAYS: Commissioner Teel, Vice Mayor Rodstrom, and Mayor Naugle.

Mayor Naugle asked if this is approved for either of these companies, could the Manager assure that such expenditure would not prevent the City from keeping police and firefighters on the street this year. The City Manager said that until final numbers of the budget are presented at next month's meeting, he could not make any assurances. This will come at the expense of something else due to limited funds. It become an issue of policy as to where the monies should be spent.

Mayor Naugle commented that for comfort sake, he would prefer delaying a month to know public safety dollars would not be jeopardized.

Commissioner Teel said that she was going to make a motion to award the contract to the other vendor. She found it hard to believe that the monies are not available in the Contingency Fund or elsewhere in the budget that would not affect public safety.

The City Manager said staff would do whatever possible to make the Commission's priorities work. He did not feel that \$200,000 either way would make or break the City. Clearly, \$200,000 spent one way is \$200,000 not spent on something else. It becomes choices.

Motion made by Commissioner Teel to award to Siemon & Larsen, P.A.

Commissioner Hutchinson asked if the monies would be taken out of this year's budget. The City Manager indicated that would be possible from the Contingency Fund.

In response to Commissioner Moore, Allyson Love, Director of Office of Management & Budget, said that the monies for these services would come from the Fund Balance as there is approximately \$40,000 in the Contingency Fund. The City Manager corrected his statement; he meant Fund Balance.

Commissioner Moore did not see any justification to not follow staff's recommendation. Commissioner Hutchinson agreed. Commissioner Moore preferred that the entire thing be kicked out because it is wrong. He was concerned about challenges to this action.

Commissioner Teel said the second-ranked proposer is very qualified and was less money. She thought there was money in the Contingency Fund. She was not in favor of taking money from the Fund Balance without detailed and long discussions. She noted in the presentation earlier today it was mentioned that more than 2,000 citizens participated in master planning. As such she found the comments by the first proposer in the back-up materials as condescending of the public. She withdrew her motion and requested the City Manager to find a funding source. She noted it would be about a \$30,000 saving.

Mayor Naugle suggested tabling the item until after the budget presentation. Commissioner Teel did not want to keep putting it off.

The City Auditor noted that none of the funds for this contract would come from the Contingency Fund, but rather the Fund Balance. The second part of this action would be to appropriate from the Fund Balance.

In response to Mayor Naugle, Commissioner Moore was not in favor of tabling the matter. When this was previously discussed, he had expressed concern with the process. He suggested rebidding and possibly as an RFQ. He did not believe there would be any merit in offering the award to the second bidder. There was a review process by professional staff who then ranked the ten responders.

Commissioner Hutchinson was embarrassed by the discussion. She referred to previous conference meetings and this being a high priority to everyone on the Commission at the time. It is not just what neighborhoods want, but staff and the Planning and Zoning Board also want this. Staff does not have the time to do the work. The procurement process was followed and the best company was picked. She was disappointed in something like this getting to this point. It was known going into the process that the money was not budgeted. She will continue to support staff's recommendation. She had assumed this would be charged to this year's budget, but was willing to wait until funds information could be furnished.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to table this matter until July 15, 2008 at 6 pm. Roll call showed: YEAS: Commissioners Moore, Hutchinson and Teel, Vice Mayor Rodstrom, and Mayor Naugle. NAYS: None.

Advisory Board /Committee Appointments

(OB)

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

Historic Preservation Board

Bob Prager

Planning & Zoning Board

Catherine Maus

Commissioner Hutchinson introduced a written resolution entitled:

RESOLUTION NO. 08-134

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

There being no other matters to come before the Commission, the meeting was adjourned at 6:40 p.m.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk