## FORT LAUDERDALE CITY COMMISSION REGULAR MEETING DECEMBER 2, 2008

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# MINUTES OF A REGULAR MEETING CITY COMMISSION FORT LAUDERDALE December 2, 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 Magdalene E. Lewis 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

Invocation was offered by Father Michael "Happy" Hoyer, Our Lady Queen of Martyrs Church, followed by the recitation of the Pledge of Allegiance.

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

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Teel to approve the minutes of the September 3, 2008 Northwest Neighborhood Improvement District Meeting, October 7, 2008 Conference Meeting, October 21, 2008 Regular Meeting, and the agenda for the meeting of December 2, 2008. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

#### **Presentations**

#### 1. Rick Case Bike For Kids Day – December 2, 2008 (PRES-01)

Commissioner Teel presented a proclamation designating December 2, 2008, as Rick Case Bike For Kids Day in the City of Fort Lauderdale to Mr. And Mrs. Rick Case.

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#### 2. Outstanding Employees

(PRES-02)

Frank Adderley, Police Chief, recognized Officers of the Month Detectives Carmichael and Shotwell. He explained their work concerning the beating of a homeless man and individuals charged with attempted murder.

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#### 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 – America Recycles Day and Neighborhood Reuse Sale

(M-01)

#### No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Coral Ridge Isles Homeowners Association, Inc. for America Recycles Day and Neighborhood Reuse Sale, to be held December 6, 2008, 8AM – 2 PM, at Floranada Park.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1774

### **Event Agreement – Downtowner Boat Parade Party Closing South New River Drive**

(M-02)

#### No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with It's Only Zeroes, Inc. for Downtowner Boat Parade Party, to be held December 12, 2008, 6 PM - 11 PM, December 13, 2008, 12 Noon - 11 PM, and December 14, 2008, 10 AM - 6 PM, at the Downtowner and on South New River Drive and closing South New River Drive.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1779

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### **Event Agreement – Mission Festival - Closing Tarpon Drive**

(M-03)

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 January 25, 2009, 7:30 AM – 1:30 PM, and closing Tarpon Drive from Tarpon Terrace to Brickell Avenue.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1600

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#### **Event Agreement – Rio Vista Holiday Party**

(M-04)

#### No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Rio Vista Civic Association, Inc. for Rio Vista Holiday Party, to be held December 6, 2008, 5:30 PM – 10 PM at Virginia Young Park.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1605

#### **Event Agreement – National Homeless Memorial Day**

(M-05)

#### No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Community Hope Center, Inc. for National Homeless Memorial Day, to be held December 20, 2008, 11 AM – 3 PM, on the first floor of City Hall Parking Garage, contingent upon Risk Management and City Attorney's Office receiving a valid certificate of insurance from organizer.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1782

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#### Supplemental Pay – Employee Reservists Called To Active Duty – Ongoing Military Conflicts – Extension of City Policy

(M-06)

Police Department - \$34,000 is budgeted in POL 030201, Subobject 1101 (permanent salaries) Fund 001, Subfund 01.

A motion authorizing a one-year extension to City policy for supplemental pay to employee reservists called to active duty as a result of ongoing military conflicts that arose due to September 11, 2001 terrorist attacks – extension to December 30, 2009.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1762

### Federation of Public Employees Bargaining Unit Agreement - New Job Class

(M-07)

Public Works Department – sufficient funding is available in PBS 090101, Subobject 1101 (permanent salaries), Fund 409, Subfund 01, for the estimated cost increase of \$11,400 for the proposed Solid Waste Supervisor job class described in Exhibit 1.

A motion authorizing the creation of one new job class in Federation of Public Employees (Supervisory) bargaining agreement.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1765

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#### Greater Fort Lauderdale Sister Cities International, Inc. Agreement – Annual Funding Allocation - \$19,000

(M-08)

Funds available in Fund 001, Subfund 01 GEN010102/Subobject 4207 \$19,000 (Promotional Contribution).

A motion authorizing the proper City Officials to execute an agreement with Greater Fort Lauderdale Sister Cities International, Inc. – Fiscal year 2008-2009 funding allocation - \$19,000.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1677

### Settlement of General Liability File - GL05-490C - \$25,000

(M-09)

Funds are budgeted in Fund 543/01, INS 010101-5113 (General Liability Claims). There are sufficient funds to cover the amount of \$25,000.

A motion authorizing settlement of General Liability File GL05-490C (Mark Nichols) - \$25,000.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1792

Contract Award – West Construction, Inc. – Ann Herman Park - \$209,060 – Ann Herman Park

(M-10)

\$65,000 is available in P11072.331-6599. Appropriate \$100,000 from P11236.331-6599, General Fund CIP Holding Account to P11072.331-6599, all in Fund 331, Subfund 01, \$106,359.88 is available in P11072.129-6599, Fund 129, Subfund 01.

A motion authorizing the proper City Officials to: (1) award and execute contract with West Construction, Inc., in the amount of \$209,060 – Ann Herman Park – Project 11072; and (2) appropriate \$271,359.88 to fund this contract and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1743

Amendment 1 – Task Order 10 – Post, Buckley, Schuh and Jernigan, Inc. – Holiday Park – Hurricane Aftermath - \$12,962

(M-11)

\$12,962 is available in Fund 125, Subfund 01, P16029.125-6599.

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 10 with Post, Buckley, Schuh and Jernigan, Inc. – four-month extension to December 1, 2008 and increase fees by \$12,962 for construction management, architectural, engineering and administrative services related to Hurricanes Katrina and Wilma damages at Holiday Park.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1748

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Amendment 1 – Task Order 11 – Post, Buckley, Schuh and Jernigan, Inc. – Swimming Hall of Fame and Aquatic Complex – Hurricane Aftermath

(M-12)

\$10,868 is available in Fund 129, Subfund 01, P16029.129-6599 and \$8,344 is available in Fund 125, Subfund 01, P16029.125-6599.

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 11 with Post, Buckley, Schuh and Jernigan, Inc. – four-month extension to December 1, 2008 and increase fees by \$19,212 for construction management, architectural, engineering and administrative services related to Hurricanes Katrina and Wilma damages at Swimming Hall of Fame and Aquatic Complex.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1749

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Change Order 1 – Pavex Corporation – D/B/A Ranger Construction-South – Executive Airport – Relocation of Taxiway Alpha - \$127,200 – Add 27 Days

(M-13)

Appropriate \$127,200 from P11237.468-6599 to P10802.468-6599, all in Fund 468, Subfund 02.

A motion authorizing: (1) Change Order 1 with Pavex Corporation b/d/a Ranger Construction – South, in the amount of \$127,200 and the addition of 27 non-compensable days to contract period – Executive Airport Taxiway Alpha Relocation – Project 10802; and (2) appropriate \$127,200 to fund this change order.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1591

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### Change Order 4 – Weekley Asphalt Paving, Inc. - \$12,943.20 Landings Entranceway Replacement

(M-14)

Appropriate \$12,943.20 from P11233.331-6599, Landings Entranceway and Wall, to P11186.331-6599. All in Fund 331 and Subfund 01.

A motion authorizing: (1) Change Order 4 with Weekley Asphalt Paving, Inc., in the amount of \$12,943.20 – Landings Entranceway Replacement – 2007-2008 Annual Asphaltic Concrete Pavement Surfacing – Project 11186; and (2) appropriate \$12,943.20 to fund this change order.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-1787

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### Annual Household Hazardous Waste Collection Event Joint Participation Agreement – Broward County

(M-15)

\$1,500 is budgeted in Sanitation Fund 409, Subfund 01, PBS090101-3299.

A motion authorizing a Joint Participation Agreement with Broward County for 2009 Residential Household Hazardous Waste Collection Event on January 25, 2009, 8 AM – 3 PM – 101 North Andrews Avenue.

**Recommend:** Motion to approve.

Exhibit: Commission Agenda Report 08-1712

#### CONSENT RESOLUTION

Grant Acceptance – Water Savings Incentive
<a href="https://example.com/Program-918,360">Program - \$18,360 – South Florida Management District</a>

(CR-01)

Appropriate \$18,360 grant revenue to GSENSOR09 Fund Type 10, Fund 129, Subfund 01, Subobject F309. Appropriate \$18,360 expenditure in GSENSOR09-

3434, Improvement Repair Materials, Fund Type 10, Fund 129, Subfund 01. In-kind grant match salaries \$18,887 under PKR061301-1101 permanent salaries, Fund Type 01, Fund 001, Subfund 01.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 08-1725

**RESOLUTION NO. 08-286** 

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE FY 2009 SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) WATER SAVINGS INCENTIVE PROGRAM COOPERATIVE FUNDING AGREEMENT AND TO AMEND THE FINAL BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009, BY ACCEPTING AND APPROPRIATING \$18,360 FROM THE SFWMD TO GSENSOR09 FUND TYPE 10, FUND 129 SUBFUND 01, SUBOBJECT F309 AND APPROPRIATING \$18,360 EXPENDITURE IN GSENSOR09-3434 IMPROVEMENT REPAIR MATERIALS, FUND TYPE 10, FUND 129, SUBFUND 01 FOR A WATER SAVINGS INCENTIVE PROGRAM (WATERSIP).

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#### **Donation To Justice For All Broward - \$5,000**

(CR-02)

Appropriate \$5,000 from Fund 104, Subfund 01, Undesignated Fund Balance and transfer to Fund 104, Subfund 01, POL050201, Subobject 4299.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 08-1713

RESOLUTION NO. 08-287

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, 2008 AND ENDING SEPTEMBER 30, 2009 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.

Grant Acceptance – 2009 Community Emergency Response Team - \$5,000 – Florida Department of Community Affairs (CR-03)

Appropriate \$5,000 of Grant Funds to Fund 129, Subfund 01, GCERT09, C594 (Rev); and expenditures in 3516 (\$500), 3928 (\$300), 3946 (\$1,200), and 4337 (\$3,000).

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 08-1772

RESOLUTION NO. 08-288

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$5,000 FROM THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT; AUTHORIZING THE PROPER CITY OFFICIALS TO AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009, BY APPROPRIATING SUCH GRANT FUNDS IN THE AMOUNT OF \$5,000 TO FUND 129, SUBFUND 01, GCERT09, C594 FOR FUNDING OF THE COMMUNITY EMERGENCY RESPONSE TEAM (CERT) PROGRAM.

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#### **PURCHASING AGENDA**

Proprietary – Firefighter Employee Training - Broward Fire Academy

(PUR-01)

\$46,767.10 is budgted in Fund 001, Subfund 01, FIR010301, 4101.

Purchase firefighter training and testing at Broward Fire Academy is being presented for approval by the Fire Rescue Department.

**Recommend:** Motion to approve.

**Vendor:** The School Board of Broward County

Fort Lauderdale, FL

**Amount:** \$46,767.10 (estimated)

Bids Solicited/Rec'd: N/A

**Exhibit:** Commission Agenda Report 08-1754

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

Change Order 1 – Awning Shade Structure Replacement - Police Department

(PUR-02)

\$6,150 is available in Fund 125, Subfund 01, Project P16014, 6599.

Approval of Change Order 1 for Awning Shade Structure Replacement at the Police Department is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

Vendor: X-Pert Awning Company

Pompano Beach, FL

**Amount:** \$6,150.00

Bids Solicited/Rec'd: N/A

**Exhibit:** Commission Agenda Report 08-1750

The Procurement Services Department has reviewed this item and recommends approval of Change Order 1.

#### Change Order 1 – City Hall Access Control System

(PUR-03)

\$29,706.40 is available in Fund 331, Subfund 01, Project P11157.331, 6599.

Approval of Change Order 1 for installation of City Hall Access Control System is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Micro Security Solutions, Inc.

Miami Lakes, FL

**Amount:** \$29,706.40

Bids Solicited/Rec'd: N/A

**Exhibit:** Commission Agenda Report 08-1752

The Procurement Services Department has reviewed this item and recommends approval of Change Order 1.

### 162-9545 – Self-Funded Group Health Plan – Annual Reinsurance Renewal

(PUR-04)

Fund 545/01, self-funded group healthcare; INS220101/subobject 5130; healthcare administration. There are sufficient funds for the estimated \$805,210.

One-year contract renewal of reinsurance policy for City self-funded, group healthcare plan is presented for approval by the Finance Department.

**Recommend:** Motion to approve.

**Vendor:** United States Fire Insurance Company

Morristown, NJ

**Amount:** \$805,210.00 (estimated)

Bids Solicited/Rec'd: N/A

**Exhibit:** Commission Agenda Report 08-1783

The Procurement Services Department has reviewed this item and recommends awarding to this vendor.

### 792-10156 – IBM Informix Database Software Support - Renewal and Licenses

(PUR-05)

\$3,861.28 is budgeted in Fund 001, Subfund 01, POL020601-3401. \$43,343.44 is budgeted in Fund 001, Subfund 01, ITS010301-3401.

Annual renewal of IBM Informix Database Management System software support and licenses is being presented for approval by Information Technology Services Department.

**Recommend:** Motion to approve.

Vendor: International Business Machines Corporation

Armonk, NY

**Amount:** \$52,204.72 **Bids Solicited/Rec'd:** 1191/8

**Exhibit:** Commission Agenda Report 08-1777

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

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

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Teel that Consent Agenda Items M-06 and M-07 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 and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

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#### Supplemental Pay – Employee Reservists Called To Active Duty – Ongoing Military Conflicts – Extension of City Policy

(M-06)

Dennis Ulmer, 1007 NW 11 Place, commended the City for providing benefits and pay for the reservists called to active duty.

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

Federation of Public Employees Bargaining Unit Agreement – New Job Class (M-07)

Vice Mayor Rodstrom was opposed to this item.

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

In response to Commissioner Teel's of whether this is a new, additional position, Averill Dorsett, Director of Human Resources, explained this is a reallocation of an existing vacancy.

Vice Mayor Rodstrom asked if the employee would receive the 5% COLA and a performance raise. Ms. Dorsett said this position in the Federation; that would be correct.

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

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#### RESOLUTIONS

One Financial Plaza Plat – 100 SE 3 Avenue One Financial Center, LTD – Case 15-P-08

(R-01)

No Budgetary Impacts.

Applicant: One Financial Center, Ltd.

Location: 100 SE 3 Avenue

Zoning: Regional Activity Center – City Center RAC-CC

Commissioner Hutchinson introduced the following resolution:

#### RESOLUTION NO. 08-282

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

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

#### Lot Clearing and Cleaning – Special Assessment Liens For Associated Cost

(R-02)

#### No budgetary impact.

Dimitrios Konstantinidis, resident of Oakland Park, indicated that he owns a duplex at 1974 NE 56 Street, Fort Lauderdale. He wished to complain because the duplex has been empty for about six months but the utility and garage bills continue to be charged,

even though only water sprinkling is being done. Mayor Naugle referred Mr. Konstantinidis to Assistant City Manager, Kathleen Gunn.

Commissioner Hutchinson introduced the following resolution:

#### RESOLUTION NO. 08-283

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

#### CITIZEN PRESENTATIONS

#### **Leonard Kalmenson – Condition of Icon Las Olas Property**

(CIT-01)

Mr. Kalmenson noted that a great portion of this complaint is being taken care of. The lcon property is one square block next to the building he resides. Until recently, the streets have not been swept; the rear of the site has been used for storage of construction materials; there is a broken seawall that floods during high tide. He and his neighbors have been complaining for about two years. Mike Maloney, Code Enforcement Manager, things are getting done. Mr. Kalmenson felt the City has neglected this area. It breaks up the continuum between Riverwalk and Las Olas. The lighting is inadequate discouraging pedestrians.

#### Stanley Eichelbaum – Condition of Icon Las Olas Property

(CIT-02)

Mr. Eichelbaum explained his professional background in economic development and his decision to move to Las Olas Grande. He was concerned about economic vulnerability of the area and wasted potential. He emphasized cleanliness. He suggested a City management contract for the Icon parcel, creating a green belted parking lot with income shared between the City and the developer until the economy permits development. He also suggested kiosks along this block to connect the two areas on Las Olas. He had other suggestions when time permits.

#### Robert Eisenberg – Condition of Icon Las Olas Property

(CIT-03)

Mr. Eisenberg said he worked as a police lieutenant in New York City. The Icon parcel has been an eyesore. He noted the bus shelter is continuously used by the homeless.

They yell and wave sticks at people. It discourages people from purchasing in the area. Behind the bus shelter there is broken glass that has been there for one and a half years.

#### **Donald Hall – Condition of Icon Las Olas Property**

(CIT-04)

Not present.

#### Raymond Fennon – Condition of Icon Las Olas Property

(CIT-05)

Jeffrey Selzer, 411 North New River Drive East, on behalf of Mr. Fennon, encouraged more development and use of tax dollars for the Riverwalk. There needs to be attention to maintenance and a police presence. The bus shelter is a problem. People are being asked for money. Something should be done for the homeless.

Mayor Naugle explained this project has not been constructed because it is in litigation with a neighboring property. He encouraged residents to e-mail him or the district commissioner about any problems that are noticed. He explained the closures on Las Olas on the first block to the east have to do with expansion of the hotel and redevelopment; it is not a situation of the businesses going out of business. Recently the City decided to allow daytime parking along the street to help the businesses.

Commissioner Hutchinson referred to the homeless issue and what the staff has done. She suggested the Police Chief speak to the residents about available homeless outreach programs. She assured the Icon residents that the City will address any issues that are brought to their attention.

Mayor Naugle indicated that aggressive panhandling is against the law. If the identity of individuals seen aggressively panhandling is furnished to the police, it could be addressed.

Commissioner Hutchinson suggested the bus shelter be be removed. The City Manager offered to look into it. Mayor Naugle agreed if bus shelters cannot be properly maintained, they should be removed throughout the City.

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#### **PUBLIC HEARINGS**

Pine Crest Preparatory School – Campus Capital Improvements – Tax Exempt Bonds – First Amendment To Interlocal Agreement (PH-01)

#### No budgetary impact.

There being no one wishing to speak, a **motion** was made by Commissioner Hutchinson and seconded by Commissioner Teel to close the public hearing. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following resolution:

#### **RESOLUTION NO. 08-284**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF NOT EXCEEDING \$20,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF PALM BEACH COUNTY, FLORIDA INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE BENEFIT OF PINE CREST PREPARATORY SCHOOL, INC. WITHIN THE MEANING OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY, FLORIDA AND THE CITY OF FORT LAUDERDALE, FLORIDA; AUTHORIZING THE PROPER CITY OFFICIALS TO DO ALL THINGS NECESSARY OR ADVISABLE; AND PROVIDING AN EFFECTIVE DATE.

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

Relief From Zoning For Public Purpose Use Including Site Plan Review – Coontie Hatchie Landings Park – Case 38-R-08

(PH-02)

#### No budgetary impact.

Applicant: City of Fort Lauderdale Location: 1115 SW 15 Avenue

Current Zoning: Residential Single-Family RS-8
Proposed Zoning: Parks, Recreation, and Open Space P

Land Use: Residential Low-Medium

There being no one wishing to speak, a **motion** was made by Commissioner Hutchinson and seconded by Commissioner Teel to close the public hearing. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following ordinance on FIRST reading:

#### ORDINANCE NO. C-08-56

AN ORDINANCE APPROVING A CITY PARK THAT DOES NOT MEET THE BUFFERYARD WALL REQUIREMENTS IN A RS-8 ZONING DISTRICT AS PROVIDED IN THE UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR"), WHICH SITE IS MORE FULLY DESCXRIBED AS LOT 43, VALENTINE'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 29, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND LOCATED ON THE EAST SIDE OF S.W. 15<sup>TH</sup> AVENUE

APPROXIMATLEY HALF A BLOCK NORTH OF DAVIE BOULEVARD IN FORT LAUDERDALE, FLORIDA, AS A PUBLIC PURPOSE USE; 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 Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

# Rezoning To Community Facility – House of Worship - 1140 NW 9 Avenue – Assemblies of the First Born, Inc. – Case 12-Z-08

(PH-03)

No budgetary impacts.

Applicant: Assemblies of the First Born, Inc.

Location: 1140 NW 9 Avenue

Current Zoning: Residential Single-Family/Medium Density RD-15 Proposed Zoning: Community Facility – House of Worship CF-H

Future Land Use: Medium Residential

There being no one wishing to speak, a **motion** was made by Commissioner Hutchinson and seconded by Commissioner Teel to close the public hearing. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following ordinance on FIRST reading:

#### ORDINANCE NO. C-08-57

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RD-15 TO CF-H, LOTS 40, 41, 42, 43, 44, 45, 46, 47 AND 48, BLOCK 130 OF PROGRESSO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LOCATED ON THE SOUTH SIDE OF NORTHWEST 12<sup>TH</sup> STREET ON THE EAST SIDE OF POWERLINE ROAD, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

#### No budgetary impacts.

Applicant: 610, LLC

Location: 614 NW 3 Avenue

**Current Zoning:** Residential Multi-Family Mid-Rise/Medium High Density

**RMM-25** 

Proposed Zoning: Exclusive Use – Parking X-P

Future Land Use: Northwest – Regional Activity Center

There being no one wishing to speak, a **motion** was made by Commissioner Hutchinson and seconded by Commissioner Teel to close the public hearing. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following ordinance on FIRST reading:

#### ORDINANCE NO. C-08-58

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO XP, LOT 34, BLOCK 321, "PROGRESSO," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMIDADE COUNTY, FLORIDA, LOCATED ON THE EAST SIDE OF NORTHWEST 3<sup>RD</sup> AVENUE BETWEEN NORTHWEST 6<sup>TH</sup> STREET AND NORTHWEST 7<sup>TH</sup> STREET, 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.

In response to Vice Mayor Rodstrom, Greg Brewton, Director of Planning and Zoning, advised that all applicable Unified Land Development Regulation requirements will have to be met. .

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

Rezoning To Exclusive Use – Parking – 804-812 NW 1 Avenue Case 11-ZR-07 – Jean Shallenberger – Parking For Bliss Window And Screen Company

(PH-05)

#### No budgetary impact.

Applicant: Jean Shallenberger Location: 804-812 NW 1 Avenue

Current Zoning: Residential Mid-Rise, Medium Density RMM-25

Proposed Zoning: Exclusive Use – Parking Lot X-P Future Land Use: Northwest Regional Activity Center

There being no one wishing to speak, a **motion** was made by Commissioner Hutchinson and seconded by Commissioner Teel to close the public hearing. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following ordinance on FIRST reading:

#### ORDINANCE NO. C-08-59

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM "RMM-25" TO "XP;" LOTS 27 THROUGH 31, BLOCK 259, "PROGRESSO," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS MIAMI-DADE COUNTY, FLORIDA, WITH **APPROVED** DEVELOPMENT PLAN, LOCATED ON THE EAST SIDE OF NORTHWEST 1ST AVENUE, BETWEEN NORTHWEST 8TH STREET AND NORTHWEST 9TH STREET, 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 Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

Vice Mayor Rodstrom thanked Mrs. Shallenberger for working with the Progresso neighborhood on the parking.

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Rezoning To Parks, Recreation and Open Space - 200 NW 18 Avenue – City of Fort Lauderdale – Northfork Riverfront Park – Case 15-Z-08

(PH-06)

#### No budgetary impact.

Applicant: City of Fort Lauderdale Location: 200 NW 18 Avenue Current Zoning: Boulevard Business B-1

Proposed Zoning: Parks, Recreation and Open Space P Future Land Use: Northwest Regional Activity Center

There being no one wishing to speak, a **motion** was made by Commissioner Hutchinson and seconded by Commissioner Teel to close the public hearing. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following ordinance on FIRST reading:

#### ORDINANCE NO. C-08-60

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM B-1 TO P, PARCEL A, "J.E.T. SON PLAT," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 130, PAGE 12 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE EAST SIDE OF NORTHWEST 18<sup>TH</sup> AVENUE AT THE NORTH FORK NEW RIVER, NORTH OF WEST BROWARD BOULEVARD, 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 Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

Rezoning To Parks, Recreation and Open Space - 1115 SW 15 Avenue – City of Fort Lauderdale – Coontie Hatchie Landings Park – Case 13-Z-08

(PH-07)

#### No budgetary impact.

Applicant: City of Fort Lauderdale Location: 1115 SW 15 Avenue

Current Zoning: Residential Single Family RS-8
Proposed Zoning: Parks, Recreation and Open Space P

Future Land Use: Residential Low-Medium

There being no one wishing to speak, a **motion** was made by Commissioner Hutchinson and seconded by Commissioner Teel to close the public hearing. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following ordinance on FIRST reading:

#### ORDINANCE NO. C-08-61

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RS-8 TO P, LOT 43, VALENTINE'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B," PAGE 29, OF THE PUBLIC RECORDS OF MIAMIDADE COUNTY, FLORIDA, LOCATED ON THE EAST SIDE OF SOUTHWEST 15<sup>TH</sup> AVENUE APPROXIMATELY HALF A BLOCK NORTH OF DAVIE BOULEVARD, 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 Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

**ORDINANCES** 

Unified Land Development Regulations – Amendments Roof Mounted Structures, Dumpsters, Drive Aisles, Landscape (0-01)

No budgetary impacts.

Commissioner Hutchinson introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-08-54

AN ORDINANCE AMENDING SECTIONS 47-19, ACCESSORY USES, BUILDINGS AND STRUCTURES, 47-20, PARKING AND LOADING REQUIREMENTS, 47-21, LANDSCAPE AND TREE PRESERVATION REQUIREMENTS AND 47-25, DEVELOPMENT REVIEW CRITERIA, OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO REVISE CERTAIN REQUIREMENTS APPLICABLE TO MULTIPLE FAMILY AND DUPLEX ZONING DISTRICTS USES PERMITTED THEREIN INCLUDING LANDSCAPE, DRIVE ISLE, ROOFTOP EQUIPMENT AND DUMPSTER SCREENING REQUIREMENTS.

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

Rezoning To General Business – 6030 North Andrews Avenue Cypress Creek Partners, LLC – Case 6-Z-08

(0-02)

No budgetary impacts.

Applicant: Cypress Creek Partners, LLC. Location: 6030 North Andrews Avenue

Current Zoning: Broward County Intense Manufacturing and Industrial

**District M-3** 

Proposed Zoning: City General Business B-2

Future Land Use: Commercial

Commissioner Hutchinson introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-08-50

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM BROWARD COUNTY "M-3" TO CITY OF FORT LAUDERDALE "B-2," ALL OF PARCEL "A" "CYPRESS CREEK CENTER," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 104, PAGE 13, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED AT THE SOUTHEAST CORNER OF NORTHWEST 62<sup>ND</sup> STREET (CYPRESS CREEK ROAD) AND NORTH ANDREWS AVENUE, 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 Hutchinson and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

#### Amendment To The Pay Plan - Schedule I

(O-03)

PUBLIC WORKS DEPARTMENT – sufficient funds (\$95,445) are budgeted in PBS 040204, Subobject 1101 (permanent salaries), Fund 001, Subfund 01, for the recommended Deputy Public Works Director position described in Exhibit 1.

Commissioner Hutchinson introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-08-55

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

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

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### Amendments To The Pay Plan – Schedule VI Minimum Wage and Abolishment of Two Classes and Pay Ranges

(0-04)

No budgetary impact.

Commissioner Hutchinson introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-08-62

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SCHEDULE VI OF THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY DELETING TWO CLASSES, DELETING TWO PAY RANGES, AND DELETING ALL PAY STEPS THAT ARE LESS THAN THE STATE OF FLORIDA MINIMUM WAGE, 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 Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.

#### Advisory Board /Committee Appointments

(OB)

Mayor Naugle said he wants to recommend Mickey Hinton to the CRA.

Commissioner Moore said he wants to recommends Pamela Adams to the Planning and Zoning Board, and Ella Phillips to the CRA.

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

Cemeteries Board of Trustees Victoria Mowrey

Community Appearance Board Charnette Loraine "Shon" Cash

Ron Fairchild, Jr. Franci Bindler Greg Stuart

Downtown Development

Authority

Gregory Durden Dennis F. O'Shea

**Economic Development** 

**Advisory Board** 

Mark D. Krom

Fire-Rescue Facilities
Bond Issue Blue Ribbon

Committee

Patrick McTigue Thornie Jarrett Steve Kirsch

Parks, Recreation & Beaches

**Advisory Board** 

Matthew L. Weiss

Utility Advisory Committee Chris Chiari

Robert B. Caine Raymond C. Parker Frances L. Smoot

Commissioner Hutchinson introduced a written resolution entitled:

#### **RESOLUTION NO. 08-285**

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 and Teel, Vice Mayor Rodstrom, Commissioner Lewis, and Mayor Naugle. NAYS: None.										
There being no other adjourned at 6:46 P.M.	matters	to	come	before	the	Commission,	the	meeting	was	
					Jim May	Naugle vor			_	
ATTEST:						,				
Jonda K. Joseph City Clerk		_								