

**FORT LAUDERDALE CITY COMMISSION REGULAR MEETING**  
**FEBRUARY 5, 2008**

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**MINUTES OF A REGULAR MEETING  
CITY COMMISSION  
FORT LAUDERDALE  
February 5, 2008**

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 \*  
Commissioner Cindi Hutchinson  
Mayor Jim Naugle  
\* (arrived during presentations)

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 Lefferts

Invocation was offered by Chaplain Rick Braswell of the 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).**

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Teel that the minutes of the January 8, 2008 Conference and Regular Meetings and the January 15, 2008 Regular Meeting, and agenda be approved. Roll call showed: YEAS: Commissioners Teel and Hutchinson, and Mayor Naugle. NAYS: None. (Commissioner Rodstrom and Vice Mayor Moore were not yet present.)

**Presentations**

**1. Public Works Department – 2007 Utility of the Year Award (PRES-01)**

The City Manager said the Public Works Department, Utilities Bureau, consists of 350 employees who provide water and wastewater services to 187,000 residential and 6,300 commercial customers. In 2007 the Bureau treated and distributed an average of 45 million gallons of water per day. In addition, 37 million gallons of wastewater was collected and treated daily. These employees must comply with regulations, licensing and certification set forth by Federal, State and local organizations. In 2007, the Florida Department of Environmental Protection mandated the additional licensing for water

distribution employees. Although compliance is not required until May, 2011 the Utilities Bureau has initiated training in conjunction with the Florida Water and Pollution Control Operators' Association also known as the FWPCOA to prepare for regulatory changes. Their purpose is to protect the health of citizens and preserve natural resources. This Association has named the City of Fort Lauderdale Utilities Bureau as the Broward County Utility of the Year for 2007. He said that the Utilities Bureau's proactive approach has brought positive recognition to the City.

Vice Mayor Moore and Commissioner Rodstrom arrived at approximately 6:10 p.m.

Albert Carbon, Public Works Director, said everyone is doing a great job in the Department, and commended Paul Bohlander on the 2011 WaterWorks Project.

Julie Leonard, Assistant Utilities Services Director, thanked everyone for their support. She said there are so many people in the department that have helped them to win this award. She thanked all the managers in the Department for their hard work.

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

Vice Mayor Moore presented the WOW Award for District III to Patricia and Brad Mattair who reside at 3010 N.W. 23<sup>rd</sup> Street.

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**February 5, 2008 as 2-1-1 Broward Day (OB)**

Commissioner Hutchinson presented a proclamation to 2-1-1 Broward for their work in responding to community residents' needs and providing information and crisis assistance, and declaring February 5, 2008 as 2-1-1 Broward Day in the City of Fort Lauderdale.

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**3. Outstanding City Employees (PRES-03)**

Albert Carbon, Public Works Director, said he wants to recognize Marcos Girasol, Miguel Girasol, Courtney Brown, and Horace Johnson and present them with the STAR Award for February, 2008. These individuals assisted to vacate a former City pump station building so ownership could be reverted back to Broward County Schools.

Stephen McNerny, Assistant Chief Fire-Rescue Department, presented the Outstanding Employee Award to Laura SanFilippo in her assistance with a 911 call and providing medical care to that individual.

Assistant Chief McNerny presented the Outstanding Employee Award to Larry Richie for his work in assisting in a 911 call regarding an accident on I-95.

Assistant Chief McNerny presented the Outstanding Employee Award to Captain Cris Dietz for his work in assisting in EMS calls daily, and his work on the new computer system installed in connection with statistical data for EMS responses and patient billing.

Robert Carter, Assistant Police Chief, recognized Officer Thomas Vazquez as Officer of the month for February 2008 for his work in locating and arresting three burglary suspects in just 3 days.

Assistant Police Chief Carter also recognized Sergeant Edward Wenger and Officer Nicholas Malone with the Officer Lifesaving Award for the month of February 2008 for their work in evacuating residents and their dog from their house which was on fire.

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**Task Order 36 – CH2M Hill, Inc. - \$595,350 (M-13)**  
**WaterWorks 2011 – Program Management Office**

Mayor Naugle said the City Manager has removed this item from tonight's agenda.

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**483-9907 – Fire Hydrants and Gate Valves (PUR-09)**

Mayor Naugle said the City Manager has removed this item from tonight's agenda.

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**483-9908 – Pipe Restrainer Assemblies (PUR-13)**

Mayor Naugle said the City Manager has removed this item from tonight's agenda.

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**483-9904 – Tapping Sleeves and Valves (PUR-15)**

Mayor Naugle said the City Manager has removed this item from tonight's agenda.

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**473-9877 – Construction Debris Disposal (PUR-16)**

Mayor Naugle said the City Manager has removed this item from tonight's agenda.

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**Event Agreement – Sistrunk Parade and Street Festival (M-04)**

Mayor Naugle said this item is being pulled because a change was discussed at the Commission Conference meeting earlier today.

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**Plat Approval – Fire Station 3 – 2801 SW 4 Avenue – Case 11-P-07 (R-02)**

Mayor Naugle said this item is being pulled so they could announce a correction.

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**685-9855 – Repair, Renovation, Restoration Services (PUR-11)**  
**General Construction**

The City Auditor said he wants to withdraw this item from tonight's agenda.

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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.

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**Event Agreement – Walk For The Animals Party  
Closing SW 2 Avenue****(M-01)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Tarpon Bend Food and Tackle – Riverwalk, Ltd. for Walk for the Animals Party, to be held Saturday, March 1, 2008, 10 AM – 4 PM and authorizing closing SW 2 Avenue.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0143

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**Event Agreement – St. Patrick’s Day Celebration  
Closing Alley Behind Maguire’s Hill Between Property Lines****(M-02)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Cilldara Inc. for St. Patrick’s Day Celebration to be held at Maguire’s Hill 16, 535 North Andrews Avenue, on Sunday, March 16, 2008, 5 PM – 12 midnight and Monday, March 17, 2008, 7 AM – 12 midnight and authorizing closing alley running parallel to Andrews Avenue behind Maguire’s Hill between property lines.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0161

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**Event Agreement and Co-Sponsorship  
Fort Lauderdale Billfish Tournament****(M-03)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Fort Lauderdale Billfish Tournament, Inc. for Fort Lauderdale Billfish Tournament, to be held

Wednesday, February 27, 2008 – Sunday, March 2, 2008 at Las Olas Marina and adjacent parking lot and approving co-sponsorship to allow banners at specified locations, subject to permitting regulations.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0081

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**Event Agreement – Sistrunk Parade and Street Festival**

**(M-04)**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Sistrunk Historical Festival, Inc. for Sistrunk Parade and Street Festival to be held Saturday, February 23, 2008, 9 AM – 6 PM.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0167

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**Event Agreement – Jerome E. Gray Esq. Health and Temperance Parade – Closing City Streets Along Route**

**(M-05)**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Mt. Olivet S.D.A. Church for the Jerome E. Gray Esquire Health and Temperance Parade, to be held Saturday, February 16, 2008, 3 PM – 6 PM at Joseph C. Carter Park and area streets and authorizing closing city streets along route, contingent upon City Attorney's Office receiving and approving the executed agreement.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0139

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**Event Agreement – Greek Festival**

**(M-06)**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with St. Demetrios Greek Orthodox Community of Broward County, Inc. for Greek Festival, to be held Friday, February 8, 2008 through Sunday, February 10, 2008, on church grounds at 815 NE 15 Avenue, contingent upon City Attorney's Office receiving and approving the executed agreement.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0140

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**Event Agreement and Co- Sponsorship – Walk For The Animals – Closing City Streets Along Route** (M-07)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Humane Society of Broward County, Inc. for Walk for the Animals, to be held Saturday, March 1, 2008, 8 AM – 12 Noon; authorizing closing city streets along route 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 08-0141

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**Contract Award – Sun-Up Enterprises, Inc. - \$394,110** (M-08)  
**2008 ADA Modification and Parking Lot Repairs**

**Transfer \$507,219.57 from P10720.331-6599, Fund 331, Subfund 01 to P10721.331-6599 Fund 331, Subfund**

A motion authorizing the proper City Officials to: (1) award and execute contract with Sun-Up Enterprises, Inc. in the amount of \$394,110 – ADA Modifications and Parking Lot Repairs – Project 11321; and (2) transfer \$507,219.57 to supplement existing funding in the project.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0133

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**Terminate Contract With Paramount Engineering, Inc. – Rebid Harbordale Civic Association Neighborhood Capital Improvements** (M-09)

**No budgetary impact.**

A motion to: (1) terminate contract with Paramount Engineering, Inc., for installation of paver bands and curbing in Harbordale neighborhood; (2) rebid project; and (3) cash and apply bid bond proceeds to project – Harbordale Civic Association – Neighborhood Capital Improvement Project 10928.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0142

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**Change Order 8 – The Poole and Kent Company - \$43,714.20** (M-10)  
**Peele Dixie Membrane Plant Bid Package B**

**Transfer \$48,959.90 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10454.482-6599.**

A motion authorizing: (1) Change Order 8 with The Poole and Kent Company, in the amount of \$43,714.20 – additional work – Peele-Dixie Membrane Plant Bid Package B – Project 10454B; and (2) transfer \$48,959.90 to fund this change order and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0131

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**Change Order 1 – Metro Equipment Service, Inc. & Add 5 Days (M-11)  
Pump Stations – Lauderdale Manors III and Melrose Manors South****Transfer \$114,119.04 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P1160.482-6599.**

A motion authorizing: (1) Change Order 1 with Metro Equipment Service, Inc., in the amount of \$101,892 and the addition of five non-compensable calendar days to contract period – additional work – Pump Stations – Lauderdale Manors III and Melrose Manors South – Project 11160; and (2) transfer \$114,119.04 to fund this change order and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0171

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**Change Order 1 (Final) – Credit (\$945,671.10) & Add 110 Days (M-12)  
Lanzo Lining Services, Inc. – Wastewater Conveyance System****Reduce encumbrance in the amount of (\$945,671.10) in Fund 487, Subfund 01, P11021.487-6599.**

A motion authorizing: (1) Change Order 1 (Final) with Lanzo Lining Services, Inc. Florida, in the CREDIT amount of (\$945,671.10) and the addition of 110 calendar days to contract period – final quantity adjustments – Wastewater Conveyance System Long-Term Remediation Program Project 6 – Sewer Basin B-11 – Project 11021; and (2) reduce encumbrance by (\$945,671.10).

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0111

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**Task Order 36 – CH2M Hill, Inc. - \$595,350 (M-13)  
WaterWorks 2011 – Program Management Office**

**Transfer \$666,792 from P11197.454, Fund 454, No Subfund, Water and Sewer Fund Recap to P10365.454-6599, Fund 454, No Subfund.**

A motion authorizing the proper City Officials to: (1) execute Task Order 36 with CH2M Hill, Inc., in the amount of \$595,350 – provision and maintenance of WaterWorks 2011 Program Management Office for a two-year period – 200 North Andrews Avenue – Project 10365; and (2) transfer \$666,792 to fund this task order and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0097

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**Task Order 50 – CMTS Florida, LLC - \$97,654.79 (M-14)**  
**Utility Construction Inspections – Edgewood – State Road 84**

**Transfer \$109,373.36 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10580.482-6599.**

A motion authorizing the proper City Officials to: (1) execute Task Order 50 with CMTS Florida, LLC., in the amount of \$97,654.79, for utility construction inspection services for Edgewood Basin B, D, F, G, State Road 84 – Project 10580D; and (2) transfer \$109,373.36 to fund this task order and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0123

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**Task Order 13 – Post, Buckley, Schuh & Jernigan, Inc. - \$23,764 (M-15)**  
**Hurricane Repairs – Several City Facilities**

**\$340.00 is available in P16003.125, \$7,560.00 is available in P16006.125, \$3,212.00 is available in P16014.125, \$3,048.00 is available in P16020.125, \$1,436.00 is available in P16026.125, \$2,368.00 is available in P16028.125, \$636.00 is available in P16037.125, \$932.00 is available in P16049.125 and \$4,232.00 is available in P16051.125. All in Fund 125, Subfund 01, Subobject 6599.**

A motion authorizing the proper City Officials to execute Task Order 13 with Post, Buckley, Schuh & Jernigan, Inc., in the not-to-exceed amount of \$23,764 – engineering, architecture and construction management services related to hurricane repairs at several City facilities.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0107

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**Amendment 1 To Task Order 25 – CMTS Florida, LLC - \$14,960.50 (M-16)**  
**Utility Construction Inspections – Sailboat Bend Basin B**

A motion authorizing the proper City Officials to: (1) execute Amendment 1 to Task Order 25 with CMTS Florida, LLC., in the amount of \$14,960.50 – utility construction inspection services – Sailboat Bend Basin B – Project 10542B; and (2) transfer \$16,755.76 to fund this amendment and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0122

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**Change Order 3 – Pino Kaoba and Associates, Inc. - \$15,825.44 (M-17)**  
**Bayview Park Improvements**

**\$15,825.44 is available in P10449.129 – 6599, Fund 129, Subfund 01.**

A motion authorizing Change Order 3 with Pino Kaoba and Associates, Inc., in the amount of \$15,825.44 – Bayview Park Improvements – Project 15010A.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0148

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**Work Authorization 16724.J5 – Keith & Schnars, P.A. - \$29,700 (M-18)**  
**Rehabilitation of SW 11 Avenue Swing Bridge**

**\$29,700 is available in P10057.332-6599, Fund 332, Subfund 01.**

A motion authorizing the proper City Officials to execute Amendment 1 to Work Authorization 16724.J5 with Keith & Schnars, P.A., in the amount of \$29,700 – rehabilitation of SW 11 Avenue swing bridge – Project 10057.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0147

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**Waiver Potential Conflict of Interest – Convention Center Hotel (M-19)**  
**Billing, Cochran, Heath, Lyles, Mauro, Anderson & Ramsey, P.A.**

**No budgetary impact.**

A motion approving a waiver of potential conflict of interest to allow Billing, Cochran, Heath, Lyles, Mauro, Anderson & Ramsey, P.A., to assist Hilton Hotels Corporation in development of a convention center hotel located in Port Everglades.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0009

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**Grant Extension – Urban Area Security Initiative 2006****(M-20)**

**No Budgetary Impact Grant Funds are already budgeted in GUAS107, Fund 129, Subfund 01, Subobject C311 and expenses in various subobjects.**

A motion authorizing: (1) extension of UASI 2006 grant agreement to June 30, 2009; and (2) proper City Officials to execute all necessary documents to finalize the extension, including corresponding amendment to the original Interlocal Agreement with City of Miramar.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0151

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**Museum of Art 50<sup>th</sup> Anniversary – Co-Sponsorship Banners****(M-21)**

**No budgetary impact.**

A motion approving co-sponsorship with the Museum of Art – Fort Lauderdale's 50<sup>th</sup> Anniversary and allowing installation of banners at specified locations, subject to permitting regulations detailed in the Code of Ordinances.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0191

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**2008 Fort Lauderdale Billfish Tournament – Dockage Facility Use Agreement – Las Olas Municipal Marina****(M-22)**

**\$10,755.00 is for receipt of revenues for FY 07-08 in General Fund 001, Subfund 01, BUS020105, Subobject K186.**

A motion authorizing the proper City Officials to execute a dockage facility use agreement with Fort Lauderdale Billfish Tournament, Inc. – event dockage for fishing fleet vessels at Las Olas Municipal Marina – 2008 Fort Lauderdale Billfish Tournament – February 27, 2008 – March 2, 2008.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0166

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**Economic Development Incentive Program – Direct Cash Incentive – Home Diagnostics, Inc. - \$135,000****(M-23)**

**No budgetary impact FY 2007-2008.**

A motion approving: (1) Home Diagnostics, Inc. as a qualified applicant for Economic Development Incentive Program and cash incentive in the amount of \$135,000 over a

four-year period; and (2) proper City Officials to execute an agreement with Home Diagnostics, Inc. for payment of such funds, subject to review and approval by City Attorney's Office.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0016

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**Middle River Terrace Park Addition Acquisition (M-24)**  
**Second Amendment to Contract – Sixty-Day Extension**

**No budgetary impact.**

A motion authorizing the proper City Officials to execute a second amendment to contract for acquisition of Open Space Site 145 – Middle River Terrace Park Addition – extending right to terminate for an additional sixty days.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 08-0190

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**CONSENT RESOLUTION**

**Grant Acceptance & Appropriation – Operation Crack Down (CR-01)**  
**\$50,000 – Florida Department of Law Enforcement – Operation Crack Down**

**Appropriate \$50,000 to Fund 129, Subfund 02, GDOWN08, Rev. D237, Exp. Subobject 3234 (\$10,000), 3299 (\$5,000), 4352 (\$35,000). No cash match required.**

A resolution authorizing proper City Officials to accept grant funds in the amount of \$50,000 from Florida Department of Law Enforcement, Violent Crime and Drug Control Council for Operation Crack Down – overtime salaries and investigative expenses and amending fiscal year 2007-2008 final operating budget by appropriating these funds.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 08-0163

**RESOLUTION NO. 08-25**

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 AUTHORIZING ACCEPTANCE OF A GRANT FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT VIOLENT CRIME AND DRUG CONTROL COUNCIL – OPERATION CRACK DOWN IN

THE AMOUNT OF \$50,000.00 APPROPRIATING FUNDS TO THE POLICE DEPARTMENT TO FUND INVESTIGATIVE OVERTIME AND EXPENSES.

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**Grant Acceptance – Urban Area Security Initiative (CR-02)**  
**\$412,745 – Interlocal Agreement – City of Miramar**

**\$412,745 of grant funds will be allocated into GUAS108 subfund 01, subobject C311, Fund 129 to be spent in various expense subobjects – No cash match required.**

A resolution authorizing: (1) acceptance of grant funds in the amount of \$412,745 for pre-approved projects through Fort Lauderdale Urban Area Security Initiative 2007; and (2) proper City Officials to execute all necessary documents to receive and disburse grant funds, including an Interlocal Agreement with City of Miramar.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 08-0157

RESOLUTION NO. 08-26

A RESOLUTION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$412,745.00 THROUGH THE FORT LAUDERDALE URBAN AREA SECURITY INITIATIVE GRANT PROGRAM FY 2007, AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008 BY APPROPRIATING THESE FUNDS AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO RECEIVE SUCH GRANT FUNDS, INCLUDING THE MEMORANDUM OF AGREEMENT WITH THE CITY OF MIRAMAR.

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**Fire Station 2 – Settlement With Tarafa Construction, Inc. (CR-03)**  
**\$248,660 – Amend Operating Budget – Appropriation - \$45,261.56**

**\$164,848.54 is available in the Tarafa PO in P09957.331-6599 Subfund 01 and \$38,549.90 is available in the Tarafa PO in P09957.344-6599 Subfund 01, and transfer \$45,261.56 from Undesignated Fund Balance in Fund 331 (screen 6400 – no subfund account 271) to P09957.331-6599, Fund 331, Subfund 01.**

A resolution: (1) authorizing payment of \$248,660 to Tarafa Construction Inc. – final settlement of all claims associated with construction of Fire Station 2; and (2) amending fiscal year 2007-2008 final operating budget, by appropriating \$45,261.56 to fund this settlement.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 08-0085

## RESOLUTION NO. 08-27

A RESOLUTION AUTHORIZING PAYMENT OF \$248,660 TO TARAFI CONSTRUCTION, INC., FOR ALL CLAIMS ASSOCIATED WITH THE CONSTRUCTION OF FIRE STATION 2 AND 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 \$45,261.56 FROM UNDESIGNATED FUND BALANCE IN FUND 331 TO P09957.331-6599, FUND 331, SUBFUND 01 TO FUND THE PRE-LITIGATION MEDIATED SETTLEMENT AGREEMENT.

**PROCUREMENT OF PROPERTY INSURANCE****(CR-04)****No budgetary impact.**

A resolution authorizing the negotiation method to purchase property insurance as prescribed in Code of Ordinances, Section 2-199(3).

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 08-0160

## RESOLUTION NO. 08-28

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER, VIA THE CITY MANAGER'S DESIGNEE, THOMAS RUTHERFOORD, INC., TO CONDUCT NEGOTIATIONS FOR THE PURCHASE OF PROPERTY INSURANCE.

<b>PURCHASING AGENDA</b>
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**582-9874 – Aluminum Parking Signs****(PUR-01)**

**\$20,000 is budgeted in Fund 461/01, PAR020102, 3999 and \$12,000 in Fund 461/01, PAR020103, 3999.**

One-year contract for purchase of aluminum parking signs is being presented for approval by Parking and Fleet Services Department.

**Recommend:** Motion to reject.

**Vendor:** Signs in a Flash, Inc.  
Fort Lauderdale, FL

**Amount:** \$32,000.00 (estimated)  
**Bids Solicited/Rec'd:** 386/3  
**Exhibit:** Commission Agenda Report 08-0087

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

**Vehicle Replacements – Florida Sheriff’s Association (PUR-02)**  
Contracts and Bid Awards

**\$147,585.03 is budgeted in Fund 583/01, PAR030101, 6416.**

Purchase six 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:** \$147,585.03  
**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 08-0137

The Procurement Services Department has reviewed this item and recommends approval of purchases from the Florida Sheriff’s Association Contract, Bid 582-9933, Bid 582-9936 and informal Quotation.

**182-9943 – DNA Testing and Analysis Services (PUR-03)**

**\$100,000 is budgeted in Fund 129, Subfund 01, GSON06,3199.**

Two one-year contracts for DNA testing and analysis services is being presented for approval by Police Department.

**Recommend:** Motion to approve.  
**Vendor:** DNA Security, Inc.  
 Burlington, NC  
 The Bode Technology Group, Inc..  
 Lorton, VA  
**Amount:** \$100,000.00 (estimated)  
**Bids Solicited/Rec'd:** 3/2  
**Exhibit:** Commission Agenda Report 08-0146

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

**Contract Renewal – Life Trak Mobile Building Inspector (PUR-04)**

**Program – GPS Monitoring and Software Maintenance**

**\$24,111.96 is budgeted in Fund 001, Subfund 01, BLD010202, 3628 and \$1,125 is budgeted in Fund 001, Subfund 01, BLD010101, 3401.**

One-year contract renewal for GPS monitoring and software maintenance for Building Code Inspection Vehicles is being presented for approval by Building Services Department.

**Recommend:** Motion to approve.

**Vendor:** Ituran Florida Corp.  
Fort Lauderdale, FL

**Amount:** \$25,236.96

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 08-0010

The Procurement Services Department has reviewed this item and recommends approving the contract extension.

**4056-0/11 – Purchase and Placement of Beach Sand** (PUR-05)

**\$63,450 budgeted in PKR060501-3237, Lawn & Tree Services, Fund 01, Subfund 001, \$10,000 budgeted in PKR060201-1501, Overtime, Fund 01, Subfund 001.**

Purchase 2,000 yards of sand for placement on the beach in NE 16 Street area is being presented for approval by the Parks and Recreation Department.

**Recommend:** Motion to approve.

**Vendor:** Austin Tupler Trucking, Inc.  
Fort Lauderdale, FL

**Amount:** \$63,450.00

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 08-0159

The Procurement Services Department has reviewed this item and recommends approving purchase from the Miami-Dade County contract.

**Proprietary – Parts and Equipment – Fiveash and Peele-Dixie Water Treatment Plants** (PUR-06)

**\$30,000 is available in PBS670302, Subobject 3404, Fund 450, Subfund 01 (Fiveash) and PBS670304, Subobject 3404, Fund 450..**

Purchase of parts and equipment for Fiveash and Peele-Dixie Water Treatment Plants is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Water Treatment & Controls Company  
Pensacola, FL  
**Amount:** \$30,000.00 (estimated)  
**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 08-0118

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

**Proprietary – Lohmeyer Wastewater Treatment Plant (PUR-07)**  
**Materials – Maintenance Defrost Turnaround**

**\$11,707.80 is available in Fund 451, Subfund 01, PBS670502, 3404**

Purchase materials for upcoming major maintenance defrost turnaround at Lohmeyer Wastewater Treatment Plant is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** F.J. Nugent & Associates, Inc.  
Sanford, FL  
**Amount:** \$11,707.80  
**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 08-0120

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

**Proprietary – Allen Bradley Switchgear Component Parts (PUR-08)**

**There is no initial cost to enter into this contract. Purchases are made on an as-needed basis. The cost of individual purchases will be charged to the appropriate Public Works operating budgets. Current fiscal year purchases for aggregates are estimated at \$75,000.**

Purchase Allen Bradley switchgear and components is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Rexel Consolidated, Inc.  
Miami, FL  
**Amount:** \$75,000.00 (not to exceed)  
**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 08-0105

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

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**483-9907 – Fire Hydrants and Gate Valves**

**(PUR-09)**

**No cost to enter into contract. Purchases will be made on an as-needed basis and charged to PBS704135, Subobject 5401, Fund 450, Subfund 01. The total estimated cost is \$409,652.60.**

Two-year contract for purchase of fire hydrants and gate valves is being presented for approval by Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Mueller Co. LTD  
Decatur, IL

**Amount:** \$409,652.60 (estimated)

**Bids Solicited/Rec'd:** 600/7

**Exhibit:** Commission Agenda Report 08-0114

The Procurement Services Department recommends awarding to the lowest responsive and responsible bidder.

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**462-9235 – Special Event Cleanup Service – Contract Assignment**

**(PUR-10)**

**No budgetary impact.**

Contract assignment for purchase of special event clean up services is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** AAA Plus Maintenance Services, Inc.  
Hollywood, FL

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 08-0117

The Procurement Services Department has reviewed this item and recommends assignment of existing contract.

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**685-9855 – Repair, Renovation, Restoration Services General Construction**

**(PUR-11)**

**There is no initial cost to enter into this purchase. Purchases are made on as as-needed basis. The cost of the individual purchases will be charged to the appropriate projects.**

One-year contract for purchase of repair, renovation and restoration services is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** A.C.T. Services, Inc.  
Hialeah, FL  
Decon Environmental & Engineering, Inc.  
Fort Lauderdale, FL

**Amount:** Per unit prices

**Bids Solicited/Rec'd:** 238/8

**Exhibit:** Commission Agenda Report 08-0108

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

**682-9890 – Plaster and Stucco Ceiling Replacement (PUR-12)**  
**International Swimming Hall of Fame**

**\$103,730 is available in Fund 129, Subfund 01, P16048.129, 6599.**

Contract award for repair of breezeway ceiling at International Swimming Hall of Fame – Aquatic Complex is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Decon Environmental & Engineering, Inc.  
Fort Lauderdale, FL

**Amount:** \$103,730.00

**Bids Solicited/Rec'd:** 227/7

**Exhibit:** Commission Agenda Report 08-0110

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

**483-9908 – Pipe Restrainer Assemblies (PUR-13)**

**There is no cost to enter into this contract. Purchases will be made on an as-needed basis and charged to PBS704135-5401, Fund 450, Subfund 01. The estimated annual cost is \$122,036.40.**

One-year contract for purchase of pipe restrainer assemblies is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Mainline Supply of Florida, LLC  
Sanford, FL

**Amount:** \$122,036.40 (estimated)

**Bids Solicited/Rec'd:** 253/6  
**Exhibit:** Commission Agenda Report 08-0125

The Procurement Services Department recommends awarding to the low responsive and responsible bidder.

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**483-9905 – Hydrofluosilicic Acid Contract (PUR-14)**  
**Fiveash and Peele-Dixie Water Treatment Plants**

**\$110,000 is available in PBS670303, subobject 3799, Fund 450, Subfund 01.**  
**\$25,000 is available in PBS670305, subobject 3799, Fund 450, Subfund 01.**

One-year contract for purchase of hydrofluosilicic acid for Fiveash and Peele-Dixie Water Treatment Plants is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.  
**Vendor:** Harcros Chemicals, Inc.  
 Kansas City, KS  
**Amount:** \$135,000.00 (estimated)  
**Bids Solicited/Rec'd:** 340/1  
**Exhibit:** Commission Agenda Report 08-0130

The Procurement Services Department recommends awarding to the single responsive and responsible bidder.

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**483-9904 – Tapping Sleeves and Valves (PUR-15)**

**There is no cost to enter into this contract. Purchases will be made on an as-needed basis and charged to Fund 450, Subfund 01, PBS704135, 5401.**

One-year contract for purchase of tapping sleeves and valves is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.  
**Vendor:** HD Supply Waterworks, LTD  
 Atlanta, GA  
**Amount:** Per unit prices  
**Bids Solicited/Rec'd:** 267/4  
**Exhibit:** Commission Agenda Report 08-0124

The Procurement Services Department recommends awarding to the low responsive and responsible bidder.

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**473-9877 – Construction Debris Disposal (PUR-16)**

**Estimated cost not to exceed \$225,000 – Purchases are made on an as-needed basis and charged to the individual operating budgets within Public Works.**

One-year contract for the disposal of construction debris and payment for prior services is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Sun Recycling, LLC  
Lantana, FL

**Amount:** \$225,000.00 (estimated)

**Bids Solicited/Rec'd:** 540/3

**Exhibit:** Commission Agenda Report 08-0115

The Procurement Services Department recommends awarding to the low responsive and responsible bidder.

**Purchase of Asphaltic Material** (PUR-17)

**\$30,000 is available in Fund 450, Subfund 01, PBS660506, 3434. \$30,000 is available in Fund 450, Subfund 01.**

Purchase of asphaltic material is being presented by Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Hardrives of Delray, Inc.  
Delray Beach, FL

**Amount:** \$60,000.00 (not to exceed)

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 08-0112

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

**785-9854 – CEMETERY MANAGEMENT SERVICES** (PUR-18)

**\$575,000 guaranteed minimum Revenue in Fund 001, Subfund 01, BUS030101, N251.**

Five-year contract for management of cemetery services at Lauderdale Memorial Gardens, Sunset Memorial Gardens, Evergreen Cemetery and Woodlawn Cemetery is being presented for approval by the Business Enterprise Department.

**Recommend:** Motion to approve.

**Vendor:** CFS Funeral Services, Inc.  
Houston, TX

**Amount:** \$575,000.00 (revenue)

**Bids Solicited/Rec'd:** 588/2  
**Exhibit:** Commission Agenda Report 08-0065

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

**385-9906 – Wellness Program Contract** (PUR-19)

**\$63,650 is available in Fund 543, Subfund 01, FIN030101, 2119.**

**Recommend:** Motion to approve.  
**Vendor:** Nationwide Better Health, Inc.  
 Columbus, OH  
**Amount:** \$63,650.00 (estimated annual)  
**Bids Solicited/Rec'd:** 666/2  
**Exhibit:** Commission Agenda Report 08-0106

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

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

**Motion** made by Commissioner Hutchinson re and seconded by Vice Mayor Moore that Consent Agenda Items M-04, M-08, M-19, M-23, CR-02, CR-03, and PUR-12 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

**Event Agreement – Sistrunk Parade and Street Festival** (M-04)

Mayor Naugle noted this should be introduced as amended at today's conference meeting.

**Motion** made by Vice Mayor Moore and seconded by Commissioner Hutchinson to approve the item as amended at the conference meeting to provide for a City contribution of \$15,000.

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

**Contract Award – Sun-Up Enterprises Inc. - \$394,110** (M-08)  
**2008 ADA Modification and Parking Lot Repairs**

Vice Mayor Moore removed this item from the consent to confirm with the City Engineer that Sun-Up Enterprises' bid was based on inspection of each location and calculation of actual necessary cubic yards, not a projection. Peter Partington, City Engineer, confirmed that is correct, there will not be any increases based upon unit rates, however, there is always the possibility of additional locations and work during the course of the contract. If so, it would be at the bid unit rate.

In further response to Vice Mayor Moore, Mr. Partington explained the consent decree requires the City to look for places that fulfill certain criteria. The list of locations has been developed with that requirement in mind. The list of locations based upon certain criteria was developed by a consultant retained by the City. The challenging party is agreeable with the locations.

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

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**Waiver Potential Conflict of Interest – Convention Center Hotel Billing, Cochran, Heath, Lyles, Mauro, Anderson & Ramsey, P.A.** (M-19)

Mayor Naugle explained this project has become very controversial because the Hilton Hotel's latest financial plan is requiring a raid on the City treasury in a way. Fifty percent of the tourist tax is paid by Fort Lauderdale businesses. After promising they would get financing from the County without raiding the taxpayers, they are now proposing such a raid to guarantee construction financing. He felt it is clearly not right for an attorney to serve both parties that could be in a potential conflict. Plus the City would have a say over building and zoning matters. The attorney could be in conflict with the City's position in the future.

Vice Mayor Moore felt this issue has nothing to do with the bonding or funding for development of the site. He consulted the City Attorney and made sure the City would not be compromised. He was happy to know that the developer is choosing someone who is astute in the City's land use and zoning.

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

Mayor Naugle clarified when he made the statement about a raid on the City's treasury, he was reading from the City Attorney's memorandum that says, in order to provide the best and most efficient economic representation of the City, I believe it's in the best interest of the City to waive conflicts that do not involve litigation or a raid to the City treasury. He felt using tourist tax which some 50% is collected from City businesses is a raid on the City treasury.

Vice Mayor Moore said the County Commission has not taken a vote on this; it is only a recommendation of the Tourist Development Council to pledge for bonding \$7.2 million on an annual basis. It has nothing to do with the conflict of interest for this attorney.

Commissioner Rodstrom believed the attorney will eventually have a conflict of interest.

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

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**Economic Development Incentive Program (M-23)**  
**Direct Cash Incentive – Home Diagnostics, Inc. - \$135,000**

In response to Vice Mayor Moore, Jeff Modarelli, Director of Economic Development, said this request is to grant Home Diagnostics the incentive for a period of four years. The City will negotiate an agreement with them down the road. This is to move the agreement forward. They will be required to fulfill requirements in the agreement each year an incentive is granted.

Mayor Naugle understood if employees are not hired at the agreed upon wages, they will not receive the money.

Vice Mayor Moore noted that the state statute does not speak to diversity, only the number of employees. He wanted to assure a fair hiring practice giving the opportunity for diversity in the work force. Mr. Modarelli clarified there are two incentive components. One is the QTI and the other is the cash incentive which is before the Commission now. When this matter was previously brought to the Commission in connection with the QTI component, the back-up materials mentioned an ethnicity breakdown provided by Home Diagnostics; 51% women, Asian/Pacific Islander 6.3%, black 22.9%, Hispanic 24.4%, and white 46.1%.

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

Commissioner Rodstrom asked about oversight in place for participating companies to follow required criteria. Mr. Modarelli said the Economic Development Department works with the City Attorney's office. Addition, companies are required to have an audit performed which is submitted to the City.

Commissioner Rodstrom asked if the companies appear to be abiding by the criteria. Mr. Modarelli said he was involved with Bank Atlantic. They provided an audit. They fulfilled the requirements.

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

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**Grant Acceptance – Urban Area Security Initiative - \$412,745 (CR-02)**  
**Interlocal Agreement – City of Miramar**

The City Clerk announced a revision has been made to this resolution requested by the City Auditor. Financial information was provided to the Commission. She read the revised resolution title.

A RESOLUTION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$412,745.00 THROUGH THE FORT LAUDERDALE URBAN AREA SECURITY INITIATIVE GRANT PROGRAM FY 2007, AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008 BY APPROPRIATING THESE FUNDS AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO RECEIVE SUCH GRANT FUNDS, INCLUDING THE MEMORANDUM OF AGREEMENT WITH THE CITY OF MIRAMAR.

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

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**Fire Station 2 – Settlement With Tarafa Construction Inc. - \$248,660 (CR-03)**  
**Amend Operating Budget – Appropriation - \$45,261.56**

Vice Mayor Moore did not support the negotiated amount for settlement is not proper. Being able to compromise at such a low percentage makes him suspicious that the increases were inappropriate to start with.

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

Vice Mayor Moore asked what amount was this negotiated down from. Peter Partington, City Engineer, believed probably the original claim was in excess of \$1 million. The settlement is for \$248,660.

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

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**682-9890 – Plaster and Stucco Ceiling Replacement (PUR-12)**  
**International Swimming Hall of Fame**

Vice Mayor Moore asked what is the time frame for total renovations to the Swimming Hall of Fame. Cate McCaffrey, Director of Business Enterprises, indicated it will be a long time in the planning.

Vice Mayor Moore asked if the breezeway is a necessity. Albert Carbon, Public Works Director, said the damage occurred as a result of Hurricane Wilma and will be part of the City's FEMA reimbursables.

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

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**785-9854 – Cemetery Management Services (PUR-18)**

In response to Vice Mayor Moore, Kirk Buffington, Director of Procurement Services, advised that \$575,000 is an annual amount.

In response to Mayor Naugle, Mr. Buffington said the other bidder was Fred Hunter Memorial Services with a base payment of \$615,000, however, their capital improvements were almost half of what was offered by CFS Funeral Services, Inc. CFS offered close to \$2 million in capital improvements and mausoleums over a period of time whereas Fred Hunter offered \$360,000 and somewhere between \$500,000 to \$1 million in capital improvements and mausoleums.

Commissioner Hutchinson inquired about the nature of the capital improvements outside of the mausoleums. Cate McCaffrey, Director of Business Enterprises, said the capital improvements at Evergreen include landscaping and decorative trash units; at Lauderdale, a new entranceway, a generator and decorative trash units; at Sunset Memorial, a new entranceway, decorative trash units, maintenance building and office.

Mayor Naugle said one option would be to hear proposals from each bidder at the next meeting. He was not happy with the current operation.

Vice Mayor Moore found the current operator to be very responsible. He was glad there were two bids. Because of a competitive process, the City is receiving \$1 million plus in capital projects.

Mayor Naugle asked what is the non-mausoleum capital expenditure. Mr. Buffington said that non-mausoleum capital improvements from CFS Funeral Services is \$588,500 and Fred Hunter, \$360,000.

Vice Mayor Moore noted that enhancements of the mausoleums would be a fee generator. He believed it is economic sense to do this.

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

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**RESOLUTIONS**

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

**No budgetary impact.**

Vice Mayor Moore introduced the following resolution:

RESOLUTION NO. 08-21

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, MADE PURSUANT TO CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE,

FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF LOT CLEARING AND IMPOSING A SPECIAL ASSESSMENT LIEN AGAINST EACH PROPERTY FOR THE ASSESSED AMOUNT, AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

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

**Plat Approval – Fire Station 3 – 2001 SW 4 Avenue - Case 11-P-07 (R-02)**

**No budgetary impacts.**

**Applicant: City of Fort Lauderdale**  
**Location: 2801 SW 4 Avenue**  
**Zoning: Park, Recreation and Open Space P**  
**Future Land Use: Community Facilities**

Vice Mayor Moore introduced the following resolution:

**RESOLUTION NO. 08-22**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT KNOWN AS “FIRE STATION NUMBER 3.”

Which resolution was read by title only.

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

In response to Commissioner Rodstrom, Greg Brewton, Planning and Zoning Director, explained this is replacing the building itself, not remodeling. James Eddy, Fire Rescue Chief, advised the new station will be approximately 9,000 square feet.

Mr. Brewton said the original proposal was for 16,000 square feet.

In response to Commissioner Hutchinson, Albert Carbon, Public Works Director, said the proposed plat restricts the size of the station to 16,000 square feet, and the new station has been designed at 9,000 square feet. The existing fire station site is big enough to accommodate construction of the new station behind the existing station. Once it is finished, the existing station will be torn down.

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

**Northwest Commercial Redevelopment – Land Disposition, (R-03)**

**Development and Management Agreement****No budgetary impact.**

Commissioner Hutchinson introduced the following resolution:

## RESOLUTION NO. 08-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION OF A LAND DISPOSITION, DEVELOPMENT AND MANAGEMENT AGREEMENT WITH MILTON JONES DEVELOPMENT CORPORATION FOR THE CONVEYANCE, DEVELOPMENT AND MANAGEMENT OF CERTAIN LANDS MORE SPECIFICALLY DESCRIBED BELOW.

Which resolution was read by title only.

Vice Mayor Moore said he totally disagrees with this. He felt it is an embarrassment of government to do what is being done with this proposal because the developer is not meeting any of the community's needs or requests. He finds the actions questionable. He apologized to District III residents that he was not able to offer rational thinking by the majority of the Commission when it came to this product, the outcome of the product, and how it is being negotiated. The design and development is not meeting the community's desires.

Vice Mayor Moore said he is making this statement so when HUD does its review, they understand that he, as the elected official representing the district and who has worked on this redevelopment site for over twenty years, suggest to the Commission that it is inappropriate for the City to enter into this agreement. There was not fair competition. It is a complete change of what the community recognized as their desires. The Commission has now extended a contract for fourteen months without knowing what they are getting.

When HUD does their review, Vice Mayor Moore reported there will be two public hearings prior to the development agreement moving forward. He hoped the public fully participates.

Commissioner Rodstrom said she does not share in the Vice Mayor's opinion. She felt it would be an asset to the community in spearheading and acting as an anchor for the area revitalization.

Mayor Naugle noted an RFP was issued relating to this property some years ago and this developer responded to it. There was open competition. He did not support the Jones family developing Regal Trace. He wanted to see what kind of job they would do on that project before proceeding with a commercial project. They did a great job on Regal Trace; they are good business people. They have gone through this process and been very patient with the City. He hoped there will be a viable project at this site.

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

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**CITIZEN PRESENTATIONS**

**Michael Smith**

**(CIT-01)**

**Human Rights and the Right to Eat and Sleep in Fort Lauderdale**

Not present.

**PUBLIC HEARINGS**

**Amend Budget – Fire Pension Fund**

**(PH-01)**

**Appropriate and allocate funds in the General Fund as shown in Exhibit 1: General Fund/001.**

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

Vice Mayor Moore introduced the following ordinance on Second Reading:

ORDINANCE NO. C-08-03

AN ORDINANCE AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007 BY APPROPRIATING \$996,405 OF INSURANCE PREMIUM FUNDS FROM THE STATE OF FLORIDA TO THE GENERAL FUND, FIREFIGHTERS PENSION INSURANCE PREMIUM TAX, AND TRANSFERRING SUCH FUNDS TO OTHER CONTRIBUTIONS IN THE GENERAL FUND WITHIN THE FINAL OPERATING BUDGET.

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

**Future Land Use Plan Amendment**

**(PH-02)**

**Rock Island – 320.32 acres – Case 8-T-06**

**No budgetary impact.**

<b>Applicant:</b>	<b>City of Fort Lauderdale</b>
<b>Location:</b>	<b>Bounded by NW 31 Avenue on the west, I-95 on the east, NW 28 Street on the north and NW 19 Street on the south</b>
<b>Property Size:</b>	<b>320.32 Acres</b>
<b>Current Future</b>	<b>Broward County Residential Low-5, Low/Med-10 and Medium</b>

**Land Use:** 16, Recreation Open Space, Industrial, Commercial, Community Facilities  
**City Proposed:** Residential Irregular (6.8, 11.00, 18.07) units per net acre,  
**Future Land Use:** Park-Open Space, Commercial, Community Facility, Industrial

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

Vice Mayor Moore introduced the following resolution:

RESOLUTION NO. 08-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO TRANSMIT TO THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED AMENDMENTS TO THE CITY'S FUTURE LAND USE MAP TO INCLUDE THE ROCK ISLAND ANNEXED AREA AND DESIGNATING THE LAND AS RESIDENTIAL WITH IRREGULAR DENSITIES.

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

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**ORDINANCES**

**Amend Code and Unified Land Development Regulations – Case 2-T-07 – Landscape and Tree Preservation And Tree Removal Permit Fees** **(O-01)**

**No budgetary impact.**

Sadler James, 3073 Harbor Drive, referred to page 3, and questioned the reduction of required native species to 20% and apparent omission of drought tolerant species. Greg Brewton, Director of Planning and Zoning, explained that native trees are drought resistant, and therefore, the language was repetitive. The 50% requirement is for both native and drought resistant. Dave Gennero, Planning and Zoning Department, explained it was felt that requiring 50% native would create a hardship in landscape design because of the availability of native species; 20% was thought to be a more appropriate percentage.

Mayor Naugle thought and Mr. Brewton confirmed that the overall impact of this is to require more trees.

Vice Mayor Moore suggested increasing the percentage and address the issue if the marketplace cannot comply. Mr. Brewton said the previous requirement was 50% of required trees had to be drought tolerant trees. It created a burden on property owners,

and therefore, the percentage is being reduced to 20%. He does not feel there would be a burden on the marketplace for such trees.

Vice Mayor Moore pointed out the alternative would cause a burden with lack of water and keeping trees alive. Native species might have a greater opportunity for survival. Mr. Brewton agreed the native trees will survive without water.

Commissioner Hutchinson believed and Mr. Gennero confirmed the rationale for this ordinance is to get more trees on one family lots. Commissioner Hutchinson asked what is the rationale for the percentage reduction. Mr. Gennero explained that previously there was no native tree requirement; it only provided for drought tolerant. Technically, drought tolerant could be trees that are not native species. Staff wanted native trees because they are all definitely drought tolerant. Also, native species are more hurricane resistant.

Mayor Naugle asked if 80% could be non-drought tolerant. Mr. Gennero said essential the phrase, drought tolerant, is being removed and going to 20% native. It is very difficult to arrive at a standardization for drought tolerant. Native is automatically drought tolerant. Design professionals have an issue in reaching the 50% requirement on commercial projects because of availability. Therefore, staff decided that 20% would be a reasonable compromise.

Commissioner Teel asked if there had been difficulty meeting the 50% requirement in the past because of the terminology. Mr. Gennero replied no and explained the 50% drought tolerant was such a general term it was difficult to prove what was drought tolerant and what was not. Now there is no question.

Commissioner Teel asked about the number of varieties of native trees. Mr. Gennero said there are dozens. They are slower growing and not quite as available.

Commissioner Teel asked if this would be helpful in the City's quest for adequate water supply. Albert Carbon, Public Works Director, replied yes, indicating that 40% to 50% of water used in the city is for outside landscaping purposes. Anything to reduce the amount of water used outside would significantly impact the need in developing future water supplies.

Commissioner Rodstrom was concerned about the increased tree removal application fee, going from \$15.12 to \$25. Mr. Brewton said this amendment is consistent with tree removal fees across the county. Commissioner Hutchinson believed it is \$16.12.

The City Auditor said fees are supposed to be reflective of the cost to provide a service. Mr. Brewton indicated that was taken into consideration as well.

Vice Mayor Moore suggested an amendment, adjusting the percentage to 35% rather than 20%. He was concerned about the use of water.

Mr. Brewton said staff would not be opposed to such an amendment. In the past there was no way of monitoring or substantiating the drought resistant species.

Mayor Naugle suggested and Vice Mayor Moore agreed to 40%.

**Motion** made by Vice Mayor Moore and seconded by Commissioner Hutchinson amending the ordinance to require 40% native species.

Vice Mayor Moore introduced the ordinance on the Second Reading as amended:

ORDINANCE NO. C-08-04

AN ORDINANCE AMENDING SECTION 9-52, LANDSCAPING AND TREE REMOVAL PERMIT FEES, OF THE CODE OF ORDINANCES AND SECTION 47-21.2, DEFINITIONS; SECTION 47-21.10, LANDSCAPE REQUIREMENTS FOR ALL ZONED DISTRICTS, AND SECTION 47-21.12, TREE PRESERVATION, OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA TO INCREASE THE TREE REMOVAL APPLICATION FEE; REQUIRE PERMITS FOR REMOVAL OF SMALLER TREES; AMEND THE NUMBER, LOCATION AND TYPE OF TREES FOR ONE FAMILY RESIDENCES; INCREASE THE REQUIRED TIME FOR REPLACEMENT TREE SURVIVAL; ESTABLISH A MINIMUM REQUIREMENT FOR SHADE TREES AND NATIVE SPECIES; AND ADDING TREE SPECIES THAT MAY BE REMOVED WITHOUT A PERMIT WITH THE AMENDMENT FROM 20% TO 40%.

Which ordinance was read by title only.

Bunney Brenneman, Vice Chair, Tree Subcommittee of the Utility Advisory Committee, said the committee prepared a brochure for homeowners and trees, specifying trees for this area, including native species. She supported staff's recommendation and hoped homeowners would seek the best advice. Wherever possible, native species should be planted.

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

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**Rezoning To Boulevard Business with Site Plan and  
Flex Allocation Waterplay Store – Case 6-ZR-06**

**(O-02)**

**No budgetary impact.**

**Applicant:** Waterplay II, Inc.  
**Location:** 612 SE 20 Street  
**Current Zoning:** Residential Multi-Family Mid-Rise – Medium High Density  
RMM-25  
**Proposed Zoning:** Boulevard Business B-1  
**Future Land Use:** Employment Center

Vice Mayor Moore introduced the ordinance on the Second Reading:

ORDINANCE NO. C-08-02

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO

AS TO REZONE FROM RMM-25 TO B-1 WITH COMMERCIAL FLEX ALLOCATION AND APPROVED DEVELOPMENT PLAN, LOTS 17 AND 18, BLOCK 26, OF THE CORRECTED PLAT OF "EVERGLADE LAND SALES COIMPANY'S FIRST ADDITION TO LAUDERDALE, FLORIDA," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 15 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED ON THE SOUTH SIDE OF SOUTHEAST 20 STREET, BETWEEN SOUTH FEDERAL HIGHWAY (U.S.1) AND MIAMI ROAD, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

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**Creation of New Single Family Zoning District – RS-8A**

**(O-03)**

**No budgetary impact.**

In response to Commissioner Hutchinson, Greg Brewton, Director of Planning and Zoning, confirmed that this would allow RS-8 neighborhoods the ability to change.

Commissioner Hutchinson asked what consensus number will the City be looking to receive from a neighborhood in the process. Mr. Brewton indicated 70% was stated previously and staff would stay with that percentage unless directed otherwise by the Commission. Commissioner Hutchinson emphasized a target percentage needs to be decided upon. Commissioner Rodstrom agreed.

In response to Commissioner Rodstrom, Mr. Brewton indicated each case would come before the Planning and Zoning Board and the Commission. The idea is that there be a majority of the community supporting the changes because certain property owners would be subject to their property changing. Some years ago 70% was used, but if the Commission wishes to use a different percentage, it could so direct staff.

Vice Mayor Moore explained the reasoning for the high percentage was to ensure an issue would not come forward without community support. It is important that consensus first be built within the community.

The City Attorney explained in the past staff required that more than half of the property owners supported the change. He recalled the last occasion was Victoria Park.

Commissioner Hutchinson pointed out this could have a financial impact on the City.

Commissioner Teel thought mailed in post cards were used. Mr. Brewton said that normally it is signing a petition, but it could be done either way.

Mayor Naugle felt this needs to be scheduled as a conference item so communities can provide input.

Vice Mayor Moore introduced the ordinance on the Second Reading:

ORDINANCE NO. C-08-05

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTIONS 47-5.2, INTENT AND PURPOSE OF EACH DISTRICT, 47-5.11, LIST OF PERMITTED AND CONDITIONAL USES, RS-8 RESIDENTIAL SINGLE FAMILY/LOW MEDIUM DENSITY DISTRICT AND 47-5.31, TABLE OF DIMENSIONAL REQUIREMENTS FOR THE RS-8 DISTRICT, TO CREATE A NEW RS-8A ZONING DISTRICT; PROVIDING PERMITTED USES, DIMENSIONAL REQUIREMENTS AND OTHER DEVELOPMENT REGULATIONS.

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

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**Code Amendment – Chapter 20 – General Employees Retirement System Eliminating Eligibility – New Employee Hires (O-04)**

**No budgetary impact.**

Vice Mayor Moore introduced the ordinance on the First Reading:

ORDINANCE NO. C-08-06

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESPECTING THE CITY'S GENERAL EMPLOYEES' RETIREMENT SYSTEM BY AMENDING CITY OF FORT LAUDERDALE CODE SECTION 20-107, DEFINITIONS, AND CODE SECTION 20-108, ELIGIBILITY, PROVIDING THAT CERTAIN EMPLOYEES IN THE BARGAINING UNIT REPRESENTED BY THE TEAMSTERS WHO ARE HIRED ON OR AFTER OCTOBER 1, 2007 AND CERTAIN OTHER EMPLOYEES IN THE BARGAINING UNITS REPRESENTED BY THE FEDERATION OF PUBLIC EMPLOYEES HIRED ON OR AFTER NOVEMBER 7, 2007 AND CERTAIN EMPLOYEES NOT OTHERWISE REPRESENTED BY A BARGAINING UNIT AND EMPLOYEES IN THE NON-CLASSIFIED SERVICE HIRED ON OR AFTER FEBRUARY 20, 2008 ARE NO LONGER ELIGIBLE TO BECOME MEMBERS OF OR PARTICIPATE IN THE GENERAL EMPLOYEES' RETIREMENT SYSTEM; MODIFYING THE DEFINITION OF SERVICE BY ELIMINATING THE REQUIREMENT THAT NON-CERTIFIED POLICE OFFICERS OR FIREFIGHTERS BE PLACED IN AND RECEIVE SERVICE CREDIT UNDER THE GENERAL EMPLOYEES' RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

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

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**Advisory Board /Committee Appointments**

**(OB)**

Vice Mayor Moore suggested Nathaniel Wilkerson be appointed to the Nuisance Abatement Board. There was no objection.

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

Audit Advisory Board	Joseph P. Welsch
Citizens' Police Review Board	Eileen G. Helfer
Community Appearance Board	Joseph Campanella
Education Advisory Board	Leanore "Lu" Deaner
Northwest Progresso Flagler Heights Community Redevelopment Advisory Board	Mickey Hinton
Nuisance Abatement Board	Nathaniel Wilkerson
Parks, Recreation & Beaches Advisory Board	Donna Guthrie
Unsafe Structures & Housing Appeals Board	John Barranco (Architect)

Vice Mayor Moore introduced the following resolution:

RESOLUTION NO. 08-24

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

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

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**Middle River area along NE 20 Avenue - Zoning**

**(OB)**

Commissioner Teel said at the next Marine Advisory Board meeting on Thursday, they have requested the look at the Middle River area along NE 20 Avenue in regard to zoning. She felt it would be helpful for a representative from Planning and Zoning to attend.

Commissioner Hutchinson noted this board also plans to discuss lockdown of bridges to save money.

**Crime Walk****(OB)**

Vice Mayor Moore announced the upcoming crime walk on February 22, 2008 for the Progresso area and March 21, 2008 for South Middle River, 6:30 p.m. This is being led by the Council of Civic Associations and the CVC.

Commissioner Hutchinson asked if there is a crime walk in February and one in March. Vice Mayor Moore said one is scheduled for February 22, 2008 in Progresso, and the March 21, 2008 event would be held in South Middle River. One had also been done in January.

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**Remembrance Ceremony – Jennie Brooks and William Dandy****(OB)**

Vice Mayor Moore announced on February 9, 2008, 9 a.m. at Civic Peoples Park, a remembrance ceremony will be held in honor of Jennie Brooks and William Dandy. At 10:30 a.m., there will be the unveiling of a name addition to NW 15 Court to Jennie Brooks.

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In response to Vice Mayor Moore, Dr. Leslie Leip, Florida Atlantic University professor, said in attendance at tonight's meeting are students of the university's Public Management Master's Program.

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**Rescheduling of March Commission Meeting****(OB)**

Commissioner Rodstrom wanted to move the March 18, 2008 Commission meetings to March 11 or 25. Mayor Naugle asked the Commission to bring their calendars to the February 19 meeting.

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There being no other matters to come before the Commission, the meeting was adjourned at 7:39 P.M.

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Jim Naugle  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk