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FORT LAUDERDALE CITY COMMISSION
FEBRUARY 6, 2001**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
FEBRUARY 6, 2001**

Meeting was called to order at 6:22 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Gloria F. Katz (6:23)
Commissioner Carlton B. Moore
Commissioner Cindi Hutchinson
Commissioner Tim Smith (6:24)
Mayor Jim Naugle

Absent: None

Also Present: City Manager F. T. Johnson
City Attorney Dennis E. Lyles
City Clerk Lucy Masliah
Sergeant At Arms Sgt. Schendel

Invocation was offered by *Reverend George Barker*, First Baptist Church of Fort Lauderdale

At 6:23 P.M., Commissioner Katz arrived at the meeting.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore that the agenda and minutes of the meeting as shown below be approved:

January 17, 2001

Roll call showed: YEAS: Commissioners Katz, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

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).

At 6:24 P.M., Commissioner Smith arrived at the meeting.

Presentations (OB)

1. Expressions of Sympathy

Mayor Naugle offered Expressions of Sympathy, on behalf of the City Commission, to the families of *Dr. Bill Lindsey, George W. "Bim" Gill, Judge Robert J. O'Toole, and Herb Stifleman*. Commissioner Moore read aloud and presented an Expression of Sympathy to the family of *Eula Gandy Johnson*, who had been one of Broward County's most well known civil rights activists. *Mr. Greg Johnson* was present to accept the Expression of Sympathy. He advised that Ms. Johnson had been his mentor, and he believed she would have enjoyed this recognition.

2. Smoke Detector Test

Commissioner Hutchinson described the proper method of testing the batteries in a smoke detector and encouraged everyone at home to do the same.

3. "School Crossing Guard Day"

Commissioner Smith read aloud and presented a Proclamation declaring February 6, 2001 as "School Crossing Guard Day" in the City of Fort Lauderdale. Mr. Bruce Larkin, Director of Administrative Services, accepted the Proclamation on behalf of the 46 Crossing Guards who ensured students had a safe journey to and from school every day in Fort Lauderdale. He recognized several Crossing Guards personnel who were present.

4. Outstanding City Employees of the Month

The City Manager introduced Department Directors to present the Outstanding City Employees of the Month:

- Officer Ian Sklar, Terry Bryant and Eileen Reyes, of the Police Department;
- Paul Brown and Ernest Fuller, of the Public Services Department; and
- Ken Reardon and Tiffany Gnisci, of the Community and Economic Development Department.

CONSENT AGENDA (CA) (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 detailed review or discussion. Items will be enacted by one motion; if discussion is desired by any Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Secret Gardens of Rio Vista Home and Garden Tour (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Federated Garden Circles** to indemnify, protect, and hold harmless the City from any liability in connection with the **Secret Gardens of Rio Vista Home and Garden Tour** to be held **Saturday and Sunday, March 3 and 4, 2001, from 10:00 a.m. to 4:00 p.m.** in the Rio Vista neighborhood.

Recommend: Motion to approve.

Exhibit: Memo No. 01-143 from City Manager.

Event Agreement – Family Reunion (M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Mount Olive Baptist Church** to indemnify, protect, and hold harmless the City from any liability in connection with the **Family Reunion** to be held **Sunday, February 25, 2001 from 7:30 a.m. to 4:30 p.m.** on Church property; and further authorizing the closing of the following roads from 7:00 a.m. to 5:00 p.m. on February 25: N.W. 4 Street from N.W. 8 Avenue to N.W. 9 Avenue, and N.W. 8 Avenue from the Church property line on the north to N.W. 4 Street.

Recommend: Motion to approve.

Exhibit: Memo No. 01-142 from City Manager.

Event Agreement – Live It Up for Youth – Mardi Gras Madness (M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Future Point, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with **Live It Up for Youth – Mardi Gras Madness** to be held **Saturday, February 24, 2001 from 4:00 p.m. to 11:00 p.m.**; and further authorizing the closing of Sunrise Lane from N.E. 9 Street to the north end of the Parrot Lounge from 9:00 a.m. Saturday, February 24, 2001 to 9:00 a.m. Sunday, February 25, 2001.

Recommend: Motion to approve.

Exhibit: Memo No. 01-141 from City Manager.

**Disbursement of Funds/
Joint Investigation – O. R. No. 99-32005 - \$331.96 U.S. Currency (M-4)**

A motion authorizing the equitable disbursement of funds in the amount of \$331.96, with each of the 17 participating agencies to receive \$19.52.

Recommend: Motion to approve.

Exhibit: Memo No. 01-1-10 from City Attorney.

**Disbursement of Funds/
Joint Investigation – O. R. No. 99-106937 - \$202,601 U.S. Currency (M-5)**

A motion authorizing the equitable disbursement of funds in the amount of \$202,601, with each of the 17 participating agencies to receive \$11,917.70.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1-9 from City Attorney.

**Disbursement of Funds/
Joint Investigation – O. R. No. 00-74439 - \$14,359.14 U.S. Currency (M-6)**

A motion authorizing the equitable disbursement of funds in the amount of \$14,359.14, each of the 17 participating agencies to receive \$897.44.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1-8 from City Attorney.

**Disbursement of Funds/
Joint Investigation – O. R. No. 00-6022 - \$29,248.97 U.S. Currency (M-7)**

A motion authorizing the equitable disbursement of funds in the amount of \$29,248.97, each of the 16 participating agencies to receive \$1,828.06.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1-7 from City Attorney.

**Disbursement of Funds/
Joint Investigation – O. R. No. 00-15609 - \$1,312.98 U.S. Currency (M-8)**

A motion authorizing the equitable disbursement of funds in the amount of \$1,312.98, each of the 16 participating agencies to receive \$82.06.

Recommend: Motion to approve.
Exhibit: Memo No. 01-1-6 from City Attorney.

**Transfer of Airport Enterprise Fund’s
Retained Earnings – Payment of Project 9779 -
Northwest Area (Executive Airport) Sanitary and Stormwater Improvements (M-9)**

A motion authorizing the proper City officials to transfer \$356,245.10 from the Airport Enterprise Fund’s Retained Earnings to P00467.468 to pay Executive Airport’s share of the Northwest Area (Executive Airport) Sanitary and Stormwater Improvements. (Also see Item R-2 on this Agenda).

Funds: See Memo
Recommend: Motion to approve.
Exhibit: Memo No. 00-73 from City Manager.

Accept Payment – Fire Chiefs Association of Broward County – Hazardous Materials Response Operations (M-10)

A motion authorizing the proper City officials to accept the payment of \$10,000 from the Fire Chiefs Association of Broward County for hazardous materials response operations.

- Funds:** Deposit \$10,000 (FIR010301/N457 Outsider Donations) and appropriate as follows: \$7,000 to FIR010301/4101 (Training and Special Operations, Certification Training) and \$3,000 to FIR030101/6499 (Operations/Capital Equipment).
 - Recommend:** Motion to approve.
 - Exhibit:** Memo No. 00-45 from City Manager.
-

Accept Donation – Stiles Development Corporation - Police Marine Unit – Enhanced Protection in Manatee Protection Zones (M-11)

A motion authorizing the proper City officials to accept the donation of \$15,700 from the Stiles Development Corporation, pursuant to an agreement with the United States Department of Interior Fish and Wildlife Service, to provide enhanced enforcement in manatee protection zones.

- Funds:** Deposit \$15,700 (POL030306/N457 Outsider Donations) and appropriate as follows: approximately \$13,200 to POL030306 Marine Unit (6499 – Equipment); and approximately \$2,500 to POL030306 Marine Unit (3407 – Maintenance).
 - Recommend:** Motion to approve.
 - Exhibit:** Memo No. 01-42 from City Manager.
-

Lease Agreement – Bank of America, N.A. – Automatic Teller Machine (ATM) – City Park Mall (M-12)

A motion authorizing the proper City officials to execute a one-year lease agreement with Bank of America, N.A. for the operation of an ATM at the City Park Mall.

- Recommend:** Motion to approve.
 - Exhibit:** Memo No. 01-12 from City Manager.
-

Lease Agreement – Bromir, Inc. d/b/a Downtown Travel Centre – Shop No. 140 – City Park Mall (M-13)

A motion authorizing the proper City officials to execute a three-year lease agreement with Bromir, Inc. d/b/a Downtown Travel Centre for office space at Shop No. 140 at the City Park Mall.

- Recommend:** Motion to approve.
 - Exhibit:** Memo No. 01-14 from City Manager.
-

**Joint Project Agreement (JPA) –
Broward County – Household Hazardous Waste Collection Event (M-14)**

A motion authorizing the proper City officials to execute a JPA with Broward County to host a household hazardous waste collection event at 2265 West Broward Boulevard tentatively scheduled for Sunday, May 20, 2001.

Recommend: Motion to approve.
Exhibit: Memo No. 01-99 from City Manager.

**Contract Award – International Piping Services Company –
Project 10297 – Annual (FY 2000/2001) Linestopping Contract (M-15)**

A motion authorizing the proper City officials to execute an agreement with International Piping Services Company in the amount of \$713,850 for annual linestopping services.

Funds: See Memo
Recommend: Motion to approve.
Exhibit: Memo No. 01-10 from City Manager.

**Task Order No. 6 – Kimley Horn & Associates, Inc. –
Project 9785 – Executive Airport Facilities Management System -
Three Dimensional Airspace Analysis Program Services (3DAAP) (M-16)**

A motion authorizing the proper City officials to execute Task Order No. 6 with Kimley Horn & Associates, Inc. in the amount of \$45,525 to provide 3DAAP services at Executive Airport.

Funds: See Memo
Recommend: Motion to approve.
Exhibit: Memo No. 01-100 from City Manager.

**Contract Negotiations – Tarafa Construction, Inc. –
Design-Build Services for Project 9957 – Fire-Rescue
Headquarters/Replacement of Fire Station No. 2 (M-17)**

A motion approving the Selection Committee’s recommendation to commence contract negotiations with Tarafa Construction, Inc. for the design and construction of the new Fire-Rescue Headquarters and replacement of Fire Station No. 2.

Recommend: Motion to approve.
Exhibit: Memo No. 01-104 from City Manager.

**Change Order No. 6 – Molloy Brothers, Inc. –
Project 9920-B – Annual Contract (FY 2000/2001)
Sanitary and Storm Sewer Repairs (M-18)**

A motion authorizing the proper City officials to execute Change Order No. 6 with Molloy Brothers, Inc. in the amount of \$41,129.69 for additional work performed under the annual contract for sanitary and storm sewer repairs.

Funds: See Change Order
Recommend: Motion to approve.
Exhibit: Memo No. 01-11 from City Manager.

**State of Florida Funding –
Drainage Study for River Oaks and Edgewood Neighborhoods (M-19)**

A motion authorizing the proper City officials to pursue State funding for a comprehensive study of the River Oaks and Edgewood Neighborhood areas.

Recommend: Motion to approve.
Exhibit: Memo No. 01-156 from City Manager.

PURCHASING AGENDA

Proprietary Purchase – Contract for Local T-1 Telephone Service (Pur-1)

Two-year contract for local T-1 telephone service by Administrative Services, Telecommunications is being presented for approval.

Low Responsible Bidder: Bellsouth, Ft. Lauderdale, FL
Amount: \$ 205,694.16 (total annual cost)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-93 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Various Hardware, Software, Training and Supplies for C.E.R.T. (Pur-2)

An agreement to purchase various hardware, software, training and supplies for the development of a Computer Evidence Recovery Team (C.E.R.T.) for the Police Department is being presented for approval.

Low Responsible Bidder: Various Vendors
 Amount: \$ 45,418.00 (estimated)
 Bids Solicited/Rec'd: N/A
 Exhibits: Memorandum No. 01-115 from City Manager

The Purchasing Division reviewed this item and supports the recommendation from various vendors with transfer of \$45,418 from L.E.T. Fund 104 to POL050201 as follows: \$8,244.75 to Computer Software (6405); \$13,313 to Schools (4116); \$1,960 to Office Equipment (6413); \$18,835 to Computer Equipment (6404); and \$3,065.25 to Data Processing Supplies (3907).

Proprietary Purchase – Maintenance for Medical Equipment (Pur-3)

An agreement to purchase a two-year maintenance agreement for medical equipment by the Fire Rescue Department is being presented for approval.

Low Responsible Bidder: Medtronic/Physio-Control Corp.
 Amount: \$ 45,000.00 (estimated annual total)
 Bids Solicited/Rec'd: N/A
 Exhibits: Memorandum No. 01-137 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Bid 612-8392 – Two Combination Air Compressor/Generators (Pur-4)

An agreement to purchase two combination air compressor/generators by the Public Services Department is being presented for approval.

Low Responsible Bidder: Rider Distributors, Inc. (MBE), Hialeah, FL
 Amount: \$ 33,640.00
 Bids Solicited/Rec'd: 31/5 with 5 no bids
 Exhibits: Memorandum No. 01-114 from City Manager

The Purchasing Division recommends award of this bid for two air compressor/generators.

Emergency Purchase – Electrical Services (Pur-5)

Approval of payment for emergency electrical services by the Public Services Department is being presented for approval.

Low Responsible Bidder: Fisk Electric Company, Miami, FL
Amount: \$ 11,600.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-38 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the payment for emergency services.

Proprietary Purchase – Engineering Services to Rebuild Clarifier(Pur-6)

An agreement to purchase engineering service, labor and materials to rebuild secondary clarifier by the Public Services Department is being presented for approval.

Low Responsible Bidder: Baker Hughes, Salt Lake City, UT
Amount: \$ 364,486.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-43 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Proprietary Purchase – Two Vertical Turbine Pump Assemblies (Pur-7)

An agreement to purchase two vertical turbine pump assemblies by the Public Services Department is being presented for approval.

Low Responsible Bidder: Sanders Company, Inc., Stuart, FL
Amount: \$ 10,576.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-54 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M11, M14, M17, M19, Pur. 1, and Pur. 6 be deleted from the Consent Agenda and considered separately, and that the remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Accept Donation – Stiles Development Corporation –
Police Marine Unit – Enhanced Protection in Manatee Protection Zones (M-11)**

Commissioner Katz understood this donation had been specifically made for enforcement efforts related to manatee protection zones, but she saw the money would be used to buy two engines. She objected to that in light of the conditions attached to the donation. Commissioner Katz believed the engines could be purchased from other means.

Sergeant Tom Ogden, Marine Patrol, stated that an arrangement had been worked out with the Stiles Corporation. He explained that in conjunction with the Stiles Corporation and the Department of Fish and Wildlife, the City had shown how the down time on the boats decreased the patrols on the water. Sergeant Ogden stated that these two engines would result in additional people being on the water to enforce the manatee regulations.

Commissioner Katz believed there were other sources of funds for the engines, while this source would provide for greater manpower. Sergeant Ogden noted that the City had also received a Broward County Enhanced Marine Law Enforcement Grant (EMLEG), which had allowed additional enforcement within the manatee zone. In fact, the number of citations issued Citywide between 1999 and 2000 had increased by at least 220 tickets, and 75% had been issued in the area between Sunrise and Las Olas Boulevards. In light of that, the Marine Patrol had thought purchase of the engines would have better results in keeping all the boats on the water.

Commissioner Smith asked how long the EMLEG grant would last. Sergeant Ogden replied that it ran from fiscal year to fiscal year. He noted that an application had just been submitted for 2001/2002. Commissioner Smith tended to agree with Commissioner Katz because the Marine Patrol station was so far away from the northern part of the City that many residents of that area did not see much police presence due to the travel time involved. He felt the City needed a substation in the north because that area was not getting the protection necessary.

The City Manager stated that the restrictions associated with these funds had to be tied to the particular area of the Stiles property. He advised that this idea had been recommended only after considerable discussion with representatives of the Stiles Corporation and the Department of Fish and Wildlife. The City Manager explained that the amount of money involved would not really provide much more manpower, and more manpower was of little use without a functioning fleet. He believed this was the best use of the dollars available from this source, and staff would continue to increase patrol levels once the fleet was up to 98%.

Mr. Dennis O'Shea, President of Stiles Development, stated that negotiations with the Department of Fish and Wildlife had taken place under the umbrella of federal litigation. He explained that the Department of Fish and Wildlife had wanted something more empirical than just a promise of greater enforcement.

Mayor Naugle believed that if the Commission did not approve this item, it would be a refusal of the \$15,700 donation. Commissioner Katz wanted to accept the donation and that it be used for enforcement. The Police Chief assured the Commission that the total number of man-hours in this particular area of the Intracoastal Waterway had been increased in excess of the number of hours that \$15,000 would have purchased. He viewed this as an opportunity to offset some other expenditures related to manatee enforcement.

Commissioner Smith was interested in the long-term solutions to providing marine patrol in the northern waters of the City. He felt the Marine Patrol's location should be decentralized. The Police Chief reported that there had been some very spirited dialogue in this regard, and a briefing on the marine patrol could be provided when the Commission held its public safety workshop later this year.

Commissioner Hutchinson believed the public wanted to see more marine patrol boats on the water, and better engines would keep the boats on the water. She did not know what concrete figures could be provided to indicate that the manatee zones were being properly monitored other than the fact that more boats on the water meant more enforcement. Commissioner Katz explained that she thought money for engines could come from some other budget source. The Police Chief noted that there were staffing limitations due to the budget and, unless there was an eventual policy revision, only so many man-hours could be provided.

Mayor Naugle asked if spending this \$15,000 on overtime would violate the spirit of this grant. The Police Chief replied that the negotiations had been long and somewhat painful, and the same level of patrol would be provided between now and when the overall policies related to the marine patrol were considered by the City Commission. Mayor Naugle understood that there were not enough boats for the individual marine patrol officers at the present time, and this would allow two separate boats rather than one boat with two officers patrolling. It seemed to him that would double the level of patrol. The Police Chief agreed that was correct.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve Consent Agenda Item No. M11 as recommended with a commitment to increase patrol and discuss the subject of the Marine Patrol at the public safety workshop. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Joint Project Agreement (JPA) – Broward County – Household Hazardous Waste Collection Event (M-14)

Commissioner Moore appreciated this opportunity to work in tandem with the County on this recycling concept, but he was concerned about the recommended location for collection at the Konover site. He proposed instead that the abandoned heliport site across the street from City Hall be utilized, particularly in light of the close proximity of the fire station. Mayor Naugle thought that was an excellent idea. Mr. Ed Udvardy, Public Services Department, agreed that would be a good collection site.

Motion made by Commissioner Moore and seconded by Commissioner Smith to approve Consent Agenda Item No. M-14 with use of the abandoned heliport site as discussed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Contract Negotiations – Tarafa Construction, Inc. – Design-Build Services for Project 9957 – Fire-Rescue Headquarters/Replacement of Fire Station No. 2 (M-17)

Commissioner Katz had been under the impression that the design/build concept would save money. Mr. Pete Sheridan, Engineering Division, believed the project estimate had been slightly off due to the construction market at this time. However, the design/build process saved time more than anything else. He noted that the bid included design and construction.

Commissioner Katz understood the lowest bid was approximately \$800,000 over the estimated project cost. She wondered where that additional money would come from and how much the project would actually cost. Mr. Sheridan stated that the estimate had been \$4.5 million, and lowest proposal was \$5.3 million. Staff wanted an opportunity to negotiate with the top-ranked firm, and he was hopeful that some value engineering would reduce the cost. He advised that the construction cost per square foot would be about \$149, and staff usually estimated \$150, but the site cost had been greater due to some environmental issues resulting in a square foot cost of about \$173. Mr. Sheridan believed some savings could be realized through value engineering, and staff would seek additional funding.

Commissioner Katz asked that staff provide a report on the source of the additional funds and the ultimate cost after negotiation. Mr. Sheridan replied that staff would do so and was seeking authority now to negotiate only with the top-ranked firm.

Commissioner Moore said that when there were large expenditures involved, he felt the Commission should have greater input. He wanted this design/build team to make a presentation to the City Commission before negotiations and contract approval. The City Manager wanted to ensure that everything was done in the proper sequence, and staff could not negotiate without Commission authority. He did not want to give the impression that the review process was being extended by seeking a presentation before negotiating. Commissioner Moore clarified that he wanted a presentation from the selected design/build team.

Motion made by Commissioner Moore and seconded by Commissioner Smith to approve Consent Agenda Item No. M-17 as recommended, with the selected design/build team making a presentation to the City Commission. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

State of Florida Funding – Drainage Study for River Oaks and Edgewood Neighborhoods (M-19)

Commissioner Katz asked where the \$300,000 study cost would come from, and Mr. Hector Castro, City Engineer, explained that staff was seeking permission to pursue funding for the study from the State. Commissioner Katz understood the Florida Department of Transportation (FDOT) had contributed to this problem and asked if that agency would be contributing. Mr. Castro stated that the construction on I-95 had added to the stress on the Osceola Canal. At this time, however, no funding from the FDOT was proposed. He proposed that funding be sought directly from the State, but the FDOT could be requested to partner with the City if the grant was obtained. Mayor Naugle pointed out that the International Airport had received federal funds from the Federal Aviation Administration (FAA), and he felt the Airport should contribute as well.

Motion made by Commissioner Katz and seconded by Commissioner Hutchinson to approve Consent Agenda Item No. M-19 as discussed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Proprietary Purchase –
Contract for Local T-1 Telephone Service (Pur. 1)**

Commissioner Moore wondered if there was anything that could be done to retain the 761 exchange rather than switching to 828. The City Manager would not say nothing could be done, but it would involve undoing everything that had already been done. He believed that would be expensive and ineffective. The City Manager stated that the new numbers had been announced, and the new system had been implemented at the Police Department. He expected implementation to be completed in April and encouraged the Commission to move forward as advertised.

Mayor Naugle understood the new number was already being used at the Police Department. Mr. Mark Pallans, Telecommunications Manager, replied it was in use at the Police Department, Parks & Recreation Department, in part of the Public Services Department, and in some remote sites. He believed about 700 numbers were in use. Commissioner Moore asked who was providing this T-1 service, and Mr. Pallans replied that BellSouth was the current local carrier. He added that the price was very competitive.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 1 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Proprietary Purchase –
Engineering Services to Rebuild Clarifier (Pur. 6)**

Commissioner Moore asked how many bids had been received for this work. Mr. Kirk Buffington, Purchasing Manager, replied that this was a proprietary purchase, and Baker was the sole manufacturer of the 11 clarifiers in existence at the G.T. Lohmeyer Plant. Commissioner Moore asked if consideration had been given to using some other system. Mr. Richard Harden, Public Services, stated that Baker was the original manufacturer of the equipment installed when the Plant was designed. He believed the stainless steel would last a lifetime.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 6 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

**City Commission Request for Review –
Site Plan Approval/RAC -UV – Avenue Lofts - (Case No. 101-R-00) (M-20)**

A motion was presented to set a public hearing date of February 20, 2001 to review the application for preliminary site plan approval. This application received Preliminary Development Review Committee (DRC) approval at DRC meeting of January 29, 2001.

Applicant: Asher Anderson and Gail Julian
 Request: Site plan approval/RAC-UV (Regional Activity Center-Urban Village)
 Location: Southwest corner of North Andrews Avenue and N.W. 5 Street

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson not to schedule a public hearing for this application. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Settlement Agreement – New River Associates, Ltd. (M-21)

A motion was presented authorizing the proper City officials to execute a settlement agreement with New River Associates, Ltd. It was announced that this item had been **withdrawn** from the agenda.

Amendment to Resolution No. 00-27 – Beach Motorized Watercraft Rental Concession – Boucher Brothers, Inc. (PH-1)

A public hearing was scheduled to consider an amendment to Resolution No. 00-27, approving overnight storage on the public beach in accordance with a permit granted to Boucher Brothers, Inc. to operate a beach watercraft rental concession.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Smith that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION NO. 00-27 TO PROVIDE ADDITIONAL CONDITIONS TO THE WAIVER GRANTED TO THE CITY PARKS AND RECREATION DEPARTMENT FOR THE OPERATION OF A MOTORIZED WATERCRAFT CONCESSION ON THE PUBLIC BEACH.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Rezone RMM-25 to CB – Richard A. Kurtz (PZ Case No. 19-Z-00) (PH-2)

At the Planning and Zoning regular meeting of December 20, 2000, it was recommended by a vote of 8 to 0 that the following application be approved. Notice of the public hearing was published on January 25, 2001 and February 1, 2001.

Applicant: Richard A. Kurtz
 Request: Rezone RMM-25 to CB
 Location: 1228 Northwest 6th Court

Mayor Naugle called for those who wished to be heard. There were none.

Commissioner Moore wanted to thank Mr. Kurtz for addressing the change of use in accordance with the desires of the Midtown Business Association.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-4

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO CB, LOTS 15, 18 AND 19, BLOCK "A", "HOME BEAUTIFUL PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED TAT THE INTERSECTION OF NORTHWEST 6TH COURT AND NORTHWEST 13TH TERRACE, ON THE SOUTH SIDE OF NORTHWEST 6TH COURT AND ON THE EAST SIDE OF NORTHWEST 13TH TERRACE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Amend ULDR (Chapter 47) -
Central Beach and Barrier Island Zoning District (PZ Case No. 18-R-99) (PH-3)**

At the Planning and Zoning regular meeting of November 15, 2000, it was recommended (as noted in Memorandum No. 01-131) that the following application be approved. Notice of the public hearing was published on January 30, 2001.

Applicant: City of Fort Lauderdale
Request: Amend ULDR Sections 47-12, and other sections applicable to Central Beach and Barrier Island provisions.

Mr. Chris Wren, Planning Manager, stated that this item involved an amendment to the ULDR specifically pertaining to the Central Beach Area and a lot of the properties east of the Intracoastal Waterway. He advised that this had been presented to the Commission in June at a Conference meeting, and the Planning & Zoning Board had discussed the issue in November, 2000.

Mr. Wren stated that the first item involved an amendment to the ABA zoning district to delete the minimum floor area ratio (FAR) of 2. He advised that the Board supported this recommendation by a vote of 8 to 0. The second item involved the IOA and NBRA zoning districts, and the recommendation was to go from an 8-story to a 4-story structure if restaurant use was included. He advised that the Board also supported this recommendation by a vote of 8 to 0. Mr. Wren reported that the third item involved the PRD zoning district, and the proposal was to delete the exception to the beach shadow restriction. This recommendation, too, had been approved by the Board by an 8 to 0 vote.

Mr. Wren advised that the fourth item involved changing all the beach zoning districts to remove the definition of site plan review of "limited, intermediate, and significant" and replace it with Level I, Level II, Level III, and Level IV to mirror regulations elsewhere in the City. He stated that this would not change the process but simply rename the site plan reviews.

Commissioner Smith asked Mr. Wren to describe each level of site plan review. Mr. Wren explained that a Level IV review required DRC approval, a public hearing before the Planning & Zoning Board, and a public hearing before the City Commission. A Level III review involved DRC approval, a public hearing before the Planning & Zoning Board, and a Commission call-up provision. He stated that a Level II review involved only DRC approval, and Level I was an administrative review. At the request of Commissioner Smith, Mr. Wren provided examples of projects that would be subject to the various review levels.

Mr. Wren stated that the fifth item involved deleting marinas as conditional uses in the IOA zoning district. He explained that this had been inadvertently left in the Code, and it had never been advertised as a new use. Commissioner Smith understood marinas were not permitted in the IOA district. Mr. Wren agreed that was correct.

Mr. Wren said the sixth item involved the PRD and would allow a greater building length and width than 200' if approved as a Level IV permit. He noted that this was a zoning in progress item to help keep buildings the right size, and the Planning & Zoning Board had debated the issue. Although it had recommended approval by a vote of 6 to 2, the idea was to keep it somewhat flexible in order to achieve economies of scale or, for example, to accommodate retail strips without gaps. Commissioner Smith asked if criteria could be added so a certain height would be applied. Mr. Wren replied that was workable. He noted that the exception could also only be requested for certain uses as well. Commissioner Smith asked if that would delay the ordinance. Mr. Wren believed criteria could be added for second reading, and the Commission could go forward with first reading this evening.

At 7:24 P.M., Commissioner Hutchinson left the meeting. She returned at 7:25 P.M.

Mayor Naugle asked which two Board members had voted against this sixth item. Commissioner Smith believed the nay votes had been cast by Ms. Curtis and Mr. McCulla.

Mr. Wren stated that the seventh item was similar to the sixth but applicable to the ABA district. The recommendation was to allow a modification of the length or width only in an east/west direction with certain caveats. He explained that a building could not exceed 250' in height, but balconies would not count. Mr. Wren reported that the Planning & Zoning Board had not supported this recommendation. The Board felt that nothing in the ABA should be greater than 200' in length or width, without exception.

Mr. Wren said the eighth recommendation pertained to the SLA district and would allow 0' yards abutting rights-of-way if approved as a Level IV permit, if the location was on Sunrise Boulevard, and the building was no more than 80' in height. He advised that the Planning & Zoning Board had approved this recommendation on an 8 to 0 vote, but added that trees had to be placed on the site and not in the right-of-way. Mr. Wren explained that redevelopment could be severely impacted if 20' yards were required in areas with narrow properties. Commissioner Smith wondered if there were any plans to widen Sunrise Boulevard. Mr. Wren did not know of any.

Mr. Wren stated that if trees had to be placed on private property, a setback of at least 15' would be required because structures had to be 15' from trees. He advised that staff would not encourage any widening of Sunrise Boulevard in this area. In fact, even narrowing the road would be better in order to provide a pedestrian friendly environment. Mr. Wren said that staff recommended that trees be allowed on the right-of-way, assuming the Department of Transportation agreed.

Mr. Wren said the ninth recommendation involved the IOA and would allow the transfer of dwelling units to the NBRA as a Site Plan Level III permit if such property was part of a single development plan within 300', and if it could be demonstrated that the views to and from the Intracoastal Waterway were protected. He noted that the Planning & Zoning Board had unanimously supported this recommendation. Mr. Wren explained that this recommendation was intended to discourage development along the Intracoastal Waterway and move development inland.

Mr. Wren advised that the last item applied to all mixed-use development on the barrier island. It would require that all development on the barrier island comply with beach design guidelines, and mixed-use developments would have to have a sidewalk of at least 10'. In addition, mixed-use density would not exceed 25 units per gross acre, and mixed-use districts would require shade trees on any street or property line across from a residential use. Mr. Wren stated that the Board had unanimously supported this recommendation as well.

Commissioner Katz understood this would apply to the area above Oakland Park Boulevard. She did not think 10' sidewalks would work in that area. Mr. Wren advised that if this was a concern, the Commission could decide not to opt for that regulation or to retain some flexibility in this regard. He noted that this particular requirement had been suggested by a resident who lived just east of BridgeSide Square, who had concerns about how that development had impacted surrounding properties. Commissioner Katz understood the concern, but there were some very narrow lots on the barrier island, and a 10' sidewalk would result in some very skinny buildings. Commissioner Smith wondered if the area north of Oakland Park Boulevard could be exempted. Mr. Wren had no problem with that, although he thought the City Attorney's Office might wish to review the idea.

Mr. Wren understood the Commission had raised some concerns about including garages in FARs on the barrier island. He recalled that the Commission had directed staff to go forward on that but, at the time, he could not determine the effect or impact. Simultaneously, a consultant had been hired to help with some numerical studies; therefore, he had merged these two projects. Mr. Wren stated that the consultant was finishing up his recommendations on all the numerical studies and, later this month, staff would be meeting with the neighborhood in this regard. He advised that the only FAR that existed today were in the SBMHA, the PRD, and the ABA districts. Mr. Wren felt it was prudent to provide some analysis.

Commissioner Katz inquired about height in the IOA. Mr. Wren advised that some numerical studies were being done in 7 or 8 different areas, including height. He stated that the consultant was doing good work, and he expected to bring this to a March Conference meeting. Mayor Naugle felt that delaying the significant issues would mean more and more projects could get in "under the wire."

Commissioner Katz asked Ms. Cecelia Hollar, of Construction Services, if she felt this language could be enforced. Ms. Hollar believed the memorandum was a summary of the ordinance, and she would have to look at the detailed ordinance language to ensure the intent was clearly understood. Commissioner Katz understood she did not yet know for sure. Ms. Hollar agreed that was correct.

Commissioner Smith understood Ms. Hollar was not certain that the application of these regulations were appropriate and prudent. Ms. Hollar said she would have to circulate the ordinance through the Zoning Division to make sure staff understood the intent so they could be properly applied. Commissioner Smith did not understand how the Commission could discuss this item if half the staff involved did not agree with the other half. The City Manager did not believe there was any disagreement. Rather, Ms. Hollar wanted to ensure there was no need for clarification of the language, but staff was not apart on any of these issues. Commissioner Smith thought there was a flaw when part of the staff was not sure if it all made sense. He did not want to change a law if it did not make sense to Construction Services. The City Manager did not believe Ms. Hollar had said it did not make sense. Rather, she had said she wanted to be clear on the intent. He was sure everything could be reviewed prior to second reading in case any clarification was necessary.

Commissioner Smith thought this all should have been examined before reaching the Commission. Commissioner Hutchinson agreed. The City Manager agreed that would have been ideal, but there had not been time to do everything before first reading.

Commissioner Smith wanted to defer this for two weeks. Commissioner Hutchinson agreed. Commissioner Moore did not think two weeks was enough time and preferred to defer first reading a little longer. Mayor Naugle noted that zoning in progress would be applied. The City Attorney agreed that was correct.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to defer first reading to 6:00 P.M. on March 20, 2001. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Smith did not recall asking staff not to include the FARs for garages. He asked when the Commission had asked staff to remove it and send it to a study group. Mr. Wren noted that this was an issue of zoning in progress, so it was law right now, and all the projects had to meet that requirement, so no ground was being lost. Mr. Wren said it had been his decision to proceed with the analysis, and Commissioner Smith did not feel that had been appropriate. Mr. Wren explained that he could not answer questions about the impacts without the analysis. Commissioner Smith wanted the FAR to be brought forward on March 20, 2001. Commissioner Hutchinson agreed.

Proposal for Traffic Modifications and Roundabout – Southeast 16th Court (PH-4)

A public hearing was scheduled to consider a proposal to make Southeast 16th Court one-way westbound from Southeast 10th Avenue to Miami Road, and a proposal for a temporary roundabout at Miami Road and Southeast 16th Court.

Mayor Naugle called for those who wished to be heard. The following appeared:

Mr. Peter Partington, Engineering Division, stated that the Commission had considered trial roundabouts on Miami Road in November, and the issue of making Southeast 16th Court one way, westbound had also been raised at that time. In addition, the Commission had decided to leave a temporary roundabout in place at 16th Court and Miami Road. Mr. Partington stated that the proposal was to make 16th Court one way, westbound, from 10th Avenue to Miami Road for two reasons. One was to reduce the volume of traffic on 16th Court, both east and west of Miami Road. He reported that traffic volumes on 16th Court appeared to have been increasing from 2,000 vehicles per day to 3,000 vehicles per day, with eastbound traffic exceeding westbound traffic. Mr. Partington believed that making 16th Court one way, eastbound would eliminate much of that traffic and detour through traffic.

Mr. Partington stated that another reason for the proposal was that 16th Court was fairly narrow and had no sidewalks. He noted that making the road one way would allow a striped area for cyclists and pedestrians in lieu of sidewalks. He added that there were no plans for installation of sidewalks in this location.

Mr. Partington referred to the roundabout. He advised that there had been modest speed reductions on Miami Road in the blocks north and south of the roundabout, but there had been no reduction in traffic volume on Miami Road. Nevertheless, the roundabout at Miami Road and 16th Court seemed to have had a positive impact on the safety of that intersection. In the 3 years preceding the installation, there had been 9 accidents at that intersection, but there had been no reports of accidents since the roundabout had been installed.

Mr. Partington stated that staff had examined the cost of making the roundabout permanent. He believed that by omitting irrigation and installing zeroscape materials along with stamped concrete instead of pavers, the cost would be \$11,000. If the Commission wished to pursue that course of action, staff had suggested 3 potential funding sources. Mr. Partington stated that there was a balance remaining in an item contained in the Capital Improvements Program (CIP) for traffic studies in the vicinity of the downtown. Insofar as making the roadway one way, Mr. Partington advised that the cost would be borne by the County, and implementation would be fairly inexpensive.

Ms. Tina DeMarco, President of Southport Townhomes, did not support the recommendation. She did not believe 16th Court presented the major traffic issue. Rather, Miami Road presented the problem. Ms. DeMarco understood that 80% of the traffic was southbound on Miami Road. She did not understand why Southeast 10th Avenue was one-way, northbound rather than southbound. Ms. DeMarco thought it would make more sense to make Davie Boulevard, where it turned into 12th Street, southbound so all the traffic would go down to 15th Street to make a left. She also felt 15th Street should be one way so people would not be cutting through to Publix.

Mr. Jeff Herbick, Vice-President of the Harbordale Civic Association, stated that speed on northbound Miami Road had increased and, if the roundabout was removed, stop signs would not be installed. He believed it was slowing traffic, and he thought it would help if the police cited drivers of through trucks. Mr. Herbick also supported the one-way proposal, which he believed would provide a degree of safety.

Mr. John Albert, a resident of 16th Court, agreed 10th Avenue was used as a cut through route to Publix. He pointed out that the alternative was to use the 17th Street Causeway, which had always been a problem and the last thing he would want to do to do his shopping on a daily basis. Mr. Albert stated that Miami Road was a difficult area to contend with because there was a school there, and walking in the area was very dangerous. Further, traffic was often brought to a standstill when people were dropping off students.

Ms. Helen Ferris, resident of Miami Road, distributed copies of a page from a dictionary containing the definition of roundabout. She pointed out that they were not designed to slow traffic, and Mr. Partington had indicated that traffic had only been slowed by 2 MPH to 5 MPH. Ms. Ferris did not feel that was significant. She pointed out that although Broward County would bear the cost of striping and signage to make 16th Court one way, the money still came from tax dollars. Ms. Ferris was also concerned about the different estimates for the roundabout. She believed it had originally been indicated that the cost would be \$22,000, but now the cost was estimated at \$11,000. Ms. Ferris was concerned about these discrepancies and did not feel the Commission had been properly informed throughout this process.

Ms. Betty Christiansen, a resident of 15th Street, hoped the Commission would listen to what the people wanted. She stated that a petition had been presented before containing the signatures of nearly 170 area residents who did not want the roundabout. Ms. Christiansen thought the Commission should listen to the majority of residents rather than just a handful, and she did not think tax dollars should be used for things that were not wanted.

Ms. Dana McDonald said she lived on the south side of Miami Road. She traveled the roundabout several times each day, and there was always a problem because people did not know how or want to use it correctly. Ms. McDonald had observed traffic backed up from the 17th Street Causeway all the way into the roundabout. Mayor Naugle asked if that was during the time people were dropping off students at school. Ms. McDonald had made this observation at 3:00 in the afternoon.

Ms. McDonald stated that the people at the convalescent home were not happy about this because people were beeping all the time and using its parking lot as a cut through. She advised that she had sent correspondence to the City about a year ago about the blind spots at the convalescent home due to palm trees and at Runaway Bay. She believed that those blind spots might have been the cause of the accidents before the roundabout was installed. Ms. McDonald reminded the Commission that petitions had been submitted in opposition to the three roundabouts originally proposed.

Ms. McDonald had understood that the homeowners' association would maintain the roundabout, but she had seen City crews doing the work. She had observed people stuck in the roundabout all the time, and she was concerned about the safety of people in wheelchairs, walking dogs, and walking to school. Ms. McDonald thought the one-way proposal would result in more traffic going around the school.

Mr. Dennis Jenna, owner of the Village Well restaurant, believed that the one-way proposal would increase traffic around the school and affect the use of his dumpsters and parking lot. He thought this would make a bad situation worse. Mr. Jenna suggested that the roundabout be removed and stop signs installed along with a sidewalk.

Ms. Karen Coach, resident of Runaway Bay on 16th Court, circulated a photograph and stated that there was a lot of illegal truck parking in the area. She advised there were "no parking" signs posted on both sides of the street but, over the last year, she had written over 30 letters to truck owners who violated the prohibition, including the City and the County. Ms. Coach stated that the trucks were often left running while the drivers conducted business at the bank, and the noise and fumes were extremely annoying. She stated that landscaping on either side of 16th Court was also destroyed due to illegal parking. Ms. Coach was also concerned about the safety of pedestrians and cyclists on 16th Court. She felt they were endangered by speeders and cars maneuvering around the illegally parked vehicles.

Ms. Coach supported the proposal. She did not believe traffic would divert to the area around the school because drivers would not want to be bothered slowing down. Ms. Coach pointed out that 15th Street was wider than 16th Court, and it had sidewalks, dividing lines, blinking lights, pedestrian crosswalks, and crossing guards during school hours. She felt this street could support a small amount of increased traffic, and she thought the proposal was a good solution. Ms. Coach suggested a trial period in order to evaluate the changes.

Mr. Luis Sallanger said he lived at the corner of 16th Court, and he felt the increased traffic that would be caused by the one-way proposal would endanger the students at the school. He pointed out that neighborhood residents would have to go out to 17th Street and Federal Highway and circle the school. Mr. Sallanger advised that he had seen children come close to being hit by cars at the roundabout because drivers could not see children because of the flower pots. He felt roundabouts were dangerous, and would only result in more accidents.

Ms. Sharon Dressler, a resident of Southeast 14th Street, was happy that two of the roundabouts had been removed, and she wished the third would be removed as well. She felt traffic flowed much better without the roundabouts, and the one at 16th Court was a real problem especially because of the school. Ms. Dressler understood the civic association supported this proposal, but she did not understand how an association with 9 paid members could have so much influence on a neighborhood.

Mr. Mike Sharp, of the Runaway Bay Apartments, believed there was a safety issue because drivers coming up Federal Highway to this area were turning east on 16th Court, and their ability to proceed would be eliminated. Therefore, they would turn right onto 17th Street past Miami Road and turn left at 10th Street, which was difficult because of the bridge traffic. He believed another alternative would be for traffic to go through the school area. Mr. Sharp stated that this area was always busy, and the roads were not wide.

Dr. Gene Ingles, President of the Harbordale Civic Association, wished to invite everyone to a special meeting of the association tomorrow night, at which time new officers would be elected. He also wished to take this opportunity to advise that the Harbordale Civic Association area contained approximately 7,500 people. Dr. Ingles stated that there were a lot of people who used Miami Road who did not live in the neighborhood, and traffic had increased. Therefore, area residents had been working on solutions for over 3 years. Dr. Ingles felt the proposal was a solution that had been developed with the help of the City, and something had to be done to deal with the increased traffic.

Dr. Ingles noted that raised sidewalks were utilized in Coral Gables, and they helped pedestrians cross streets safely. He advised that this package had been presented to the City, and he thought the roundabout would improve the situation.

Mr. Mike Siltmeter, 1625 Southeast 17th Street, believed safety was the primary issue. He felt there should be sidewalks, and he supported the one-way proposal. He believed that would eliminate much of the cut through traffic going into the shopping center, and he also thought drivers should be ticketed when they did things that were illegal and which endangered people.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Hutchinson said she had not perceived a problem with making 16th Court one way originally but, the more she drove the area and spoke with staff, the more concerned she had become about the impact on the school. She noted that a lot of eastbound trips were generated on 16th Court, and those cars would just turn and go around the school to enter the shopping center. Commissioner Hutchinson agreed the roundabout had done the intended job, but she thought it needed some correction because it was not round. She also felt it should be curbed on the edges so people could not destroy the sidewalks by driving over them. Commissioner Hutchinson felt this roundabout should be properly installed now by the City.

Mayor Naugle believed the one-way proposal would benefit the people who lived on 16th Court and solve a lot of problems, but someone done on one street had an effect on another street. He agreed there would be an increased traffic burden on the school. Commissioner Hutchinson thought the proper solution would be to install sidewalks on 16th Court. Mayor Naugle suggested that the Bank of America be approached to assist with sidewalks. Commissioner Hutchinson noted that there was a sidewalk all the way around the Bank except at the rear where it was needed the most. She also advised that the Bank had been very agreeable throughout the process, and perhaps another solution would be for it to close its back entrance.

Commissioner Hutchinson thought a good start would be to determine the cost of sidewalks. Commissioner Smith asked Mr. Partington if he could elaborate on the suggested funding. Mr. Partington stated that one suggestion contained in the back-up memorandum was to use General Fund Contingencies and another was to suggest to the civic association that it apply for a Neighborhood Capital Improvement Program (NCIP) grant. He advised that there was also an item in the CIP for traffic planning in downtown neighborhoods, and that fund had been used in the past for the studies conducted in Rio Vista. Mr. Partington said there was a \$50,000 balance available in that fund, and the roundabout could be made permanent for a cost of \$11,000 through the use of xeriscaping and stamped concrete instead of fancy brick pavers.

Commissioner Smith noted that having the roundabout at all seemed very controversial, and he did not want to "throw good money after bad." He wondered if it would be more prudent to fix up the roundabout a little bit and leave it in a temporary configuration to give the trial more time. Commissioner Hutchinson asked how long it had been in place, and Mr. Partington replied it had been installed about 15 months ago. As a traffic measure, he believed results were already known. However, one of the major concerns was its appearance. Mr. Partington displayed a photograph of a small roundabout in West Palm Beach to demonstrate how this could be made permanent on a smaller scale.

Commissioner Hutchinson wondered if the roundabout could be made more round. Mr. Partington said he could look at the four corners and determine if curbing could be installed to prevent cars from driving over the corners. Commissioner Smith suggested that the funding be left flexible until the Commission saw what Mr. Partington could come up with, and Commissioner Hutchinson agreed that was a good idea.

Commissioner Moore did not agree with this at all. He had listened to the debate for a long time, and he had seen the community divided. He thought the best thing to do would be to put everything back the way it was and force the community to work together on another plan. He believed that even if the \$11,000 were spent to make the roundabout better in appearance, the Commission would never hear the end of it. Commissioner Moore did not think the trials had worked but, if the configuration were returned to the original, residents would want to work together because they would be bombarded with traffic. At this time, however, there was no consensus within the community.

Commissioner Katz thought Commissioner Moore had a point, but she would defer to Commissioner Hutchinson. She stated that roundabouts were being considered all over the City and, although they were used quite easily in England, people here were not used to it. Commissioner Katz believed that was a matter of training, but funding was a concern. Rather than leaving it too loose, she suggested that there be some type of matching grant through the NCIP. She thought some money could come from the CIP, and she felt area residents could contribute if they wanted the roundabout.

Commissioner Moore suggested that the Bank be asked to station a security guard on its property to address the illegal parking issues that had been raised this evening.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to continue traffic on 16th Court in eastbound and westbound directions; to make the roundabout more round with curbing through a variety of funding sources; and, to initiate discussion with the Bank of America about sidewalks. Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: Commissioner Moore.

At 8:42 P.M., the meeting was recessed. It was reconvened at 8:50 P.M.

Amendment to Chapter 28 – Increase Wastewater User Rates, Water Rates and Sprinkling Meter Charges (O-1)

An ordinance was presented amending Chapter 28 of the Code of Ordinances of the City entitled, "Water, Wastewater and Stormwater," by amending Sections 28-76, 28-143, and 28-144 thereof, to increase wastewater user rates, water rates, and sprinkling meter charges. Notice of the proposed ordinance was published on January 27, 2001.

Mr. Greg Kisela, Assistant City Manager, explained that in order to deal with the South Florida Water Management District (SFWMD) Phase II water restrictions, staff proposed a 20% rate increase as a tool to achieve the desired reductions. He stated that a 30% reduction in water usage was the goal, and Fort Lauderdale was achieving a reduction of about 17%. Mr. Kisela stated that the rate increase was intended to address discretionary water use. He understood some believed this was being proposed only to recoup loss revenue due to decreased usage, and the City was losing revenue of about \$1 million per month. However, the intent was to achieve the targeted water reduction levels requested.

Mr. Kisela thought that Phase III water reductions were possible, perhaps as soon as March, which were substantially higher than Phase II. He advised that water pressure had been dropped to 45 pounds per square inch (psi), which had helped, and enforcement efforts would continue to be helpful. However, he felt the rate increase was necessary in order to achieve the goal of reducing usage by 30%.

Commissioner Hutchinson asked how much revenue would be generated by a 20% increase. Mr. Kisela stated that it would generate \$9.3 million per year, but he was hopeful the restrictions would be lifted in June or July when the rainy season started. Therefore, he estimated an additional \$4.5 million would be generated. He noted that these would not be "new dollars" because usage would be reduced, so there would be no "windfall."

Commissioner Katz recalled a recent newspaper article indicating that other cities were not imposing surcharges or were using reserves. She asked Mr. Kisela to explain why Fort Lauderdale could not do the same. Mr. Kisela replied that the City Commission could make that policy decision, but the goal was not just to maintain the revenue stream. Rather, the intent was to provide some economic incentive for people to conserve water. He believed that if there were a higher cost, people would use less water. Commissioner Katz thought staff should explain exactly how this would work to conserve water. She was concerned about people who were already conserving and who would be penalized by the higher rates.

Mr. Dave Green, of CH2M Hill, explained that the rate structure was designed to encourage people to conserve water. He stated that impacts on low volume users would be minimal with all of the rate increase applied to the higher volume users. Mr. Green explained that as more water was used, the customer paid more for it through an inverted rate structure with the high end weighted.

Commissioner Katz asked if it would be possible to use a combination of the progressive rate structure and reserves. Mr. Green replied it was possible. Commissioner Smith understood that those who used more water would pay a higher rate. Mr. Kisela stated that was the current rate structure design. He explained that about half the water consumed involved discretionary uses, and those who were using large amounts of water for irrigation and other outside use would see the rate increases.

Commissioner Smith was worried that this might affect those the most who could least afford it – those with large families. He understood there was a \$1 million per month revenue loss anticipated, and he wondered what the net loss would be because he assumed costs would also be reduced. Mr. Green said that because this was a short-term situation, major cost reductions were not anticipated, but he expected the cost of chemicals and power to be reduced by about \$500,000 per year.

Commissioner Smith said his experience in private enterprise had been that when things were difficult, people could go into an "austerity mode" by cutting out all the "fat." He asked if staff had considered a similar austerity mode. Mr. Kisela stated that the City could do everything possible to reduce operating costs, and the variable costs that could be reduced related to chemicals and power. Commissioner Smith explained that he was referring to the entire City bureaucracy in order to make up the loss rather than passing it on to the consumer as a price increase.

Mr. Kisela said that staff would do everything possible to reduce costs in order to hedge against the revenue cost, but that would not provide any incentive for people to use less water. He explained that there were several tools for reducing water consumption. The City had already reduced water pressure, and enforcement activities were being increased. He advised that more and more public education could be useful, too, but the intent of a rate increase was to provide an economic incentive to conserve. Commissioner Smith said he knew people who were making every effort to conserve water, and he did not think higher rates could make people conserve any more. Mr. Kisela acknowledged that there would be customers who could not do much more to conserve.

Commissioner Hutchinson asked Mr. Kisela what net loss he expected assuming the water situation was resolved early this summer. Mr. Kisela said he could only estimate the loss at \$9.5 million over a year, and a savings of about \$500,000 could be realized in terms of chemicals and power. Therefore, the annual net loss would be about \$8.8 million, so if the restrictions lasted 6 months, the loss would be about \$4.4 million in lost revenue. Mr. Kisela thought there could be a 12- to 18-month cycle to consider in light of the water levels in Lake Okeechobee. He explained that some additional tools were needed to help achieve the targeted use reduction.

Commissioner Hutchinson asked if the water rate increase would be lifted when the water situation was resolved, perhaps in August after there had been a lot of rain over Lake Okeechobee. Mr. Kisela replied that it was staff's intent to do this temporarily. Commissioner Hutchinson said she had received a lot of calls on this subject, and people were no longer using their dishwashers or washing their cars, limiting their laundry, and watching their lawns die. Now, they felt they were being punished with higher rates.

Commissioner Moore understood there would be a revenue loss of about \$4.4 million over six months. He inquired about the actual impact that would have on the City's budget. Mr. Kisela stated that losing the \$4.4 million would not be a "deal breaker" in the overall scheme of things. Commissioner Moore understood staff's goal was to reduce water usage, and higher rates would be applied to greater usage. Mr. Green expected that most residential customers would see very little change in their water bills if they achieved a 20% reduction in consumption.

Commissioner Moore noted that many people used well water to irrigate their lawns. Mr. Kisela advised that whether wells or City water was being used, the Phase II water restrictions still applied. He explained that this was really targeted at the more discretionary uses of water in order to provide an economic incentive to conserve. Commissioner Moore suggested that a certain time period be considered. He suggested that the surcharge be approved for 120 days, and it would have to be specifically reinstated if the drought continued. Commissioner Moore thought that would address the concerns of those who did not think the surcharge would be lifted when the crisis was over. Mr. Kisela stated that the Commission could impose the surcharge for whatever time period it desired, but he cautioned that Phase III restrictions were a possibility. He noted that Phase III restrictions required a 45% reduction, leaving very little flexibility in terms of conservation. Nevertheless, Mr. Kisela had no objection to a specified time period.

Commissioner Moore said another concern was that some people had only learned today about the possibility of a rate increase. Therefore, he suggested that this ordinance be deferred to the next meeting so everyone would be aware that a surcharge for a time certain would be considered.

Mr. Kisela explained that staff had indicated at the Commission's last meeting that Phase II restrictions had been imposed by the SFWMD and that it would be necessary to examine some type of economic incentive to conserve water. He noted that the ordinance required two readings, with the second reading scheduled for February 20, 2001, and the next meeting would not be held until March 15, 2001. As a courtesy, post card notice had been provided to customers about the proposed rate increase, and Phase III restrictions could already be imposed by March 15, 2001.

Commissioner Moore suggested utilization of the public education process over the next two weeks. He noted that there had already been a 17% reduction in usage, and maybe people would work harder at it based on the post card notice that had been mailed this week. He felt first reading of the ordinance should take place on February 20, 2001.

Mr. Bennett Zarron, of the Shore Club, felt imposing a surcharge would be a disincentive rather than an incentive. He understood the revenues could be made up in other ways, but it appeared the harder people worked to conserve water, the more they would be charged. He felt public education was the proper route to take, and he suggested people be told that there would be a surcharge imposed on March 15, 2001 if Phase III restrictions were imposed.

Mr. Zarron understood the rate structure would be based on a comparison between last year's bills and this year's bills. From a condominium point of view, there was a separate meter for irrigation, which was an extremely small percentage of the water used. He advised that the average use in the building was 3,000 to 5,000 gallons per month per person, and he did not think anyone could do anything more to reduce usage. Mayor Naugle stated that any buildings containing more than 3 units would not be figured on a pro rata basis. Therefore, a condominium building had a fixed charged. He explained that the first 3,000 gallons were at a lower rate for a single-family home, the first 6,000 gallons for a duplex, and the first 9,000 for a triplex. Mr. Zarron felt the surcharge should be suspended until Phase III restrictions were imposed. In the meantime, the City should try to get people to conserve more efficiently.

Mr. Bill Rettinger, 1622 Northeast 8th Avenue, hated to disagree with Mr. Kisela, but nobody was enforcing the water restrictions. He stated that he had reported his neighbor for breaking the rules 10 days in a row at 8:01 A.M. because he was running his sprinklers every day. Mr. Rettinger advised that out of the 10 days he had called the Police Department, only twice had an officer responded – once at 9:30 A.M. after the sprinklers had been turned off and once at 8:42 A.M., just 3 minutes before the sprinklers went off. At that time, his neighbor had been ticketed, and he had not run his sprinklers since. Mr. Rettinger thought that if this situation had taken 10 calls to resolve, he could not imagine what was happening in the rest of the City. He did not believe the City had the manpower to enforce the rules.

Mr. Rettinger felt that if the City wanted people to decrease usage, increasing rates was not the way to do it. He suggested that if people decrease their usage, they be given some kind of bonus or a percentage off the rate. If people increased their usage, he suggested they be penalized in terms of rates. However, Mr. Rettinger did not think people should be penalized for doing what they had been asked to do. He understood Fort Lauderdale had reduced usage more than any other city in Broward County, and he stated that Mr. Frank Coulter, Deputy Public Services Director, had been quoted in the newspaper as saying that the City could not afford to lose \$1 million per month in revenues.

Mr. Andy Ziffer, 525 Southwest 5th Street, understood the focus would be spent on those with irrigation meters, and he had recently spent over \$2,000 to provide a separate meter for irrigation for his landscaping. Had he known about this, he would have stayed with the domestic meter. Mayor Naugle explained that with a separate meter for sprinklers, people did not incur sewer charges for that usage. Therefore, it was still less expensive. Mr. Ziffer felt a 20% rate increase would be unfair.

Mr. Kevin Swan, of Croissant Park, was bothered by the idea that this rate increase was just a tool and was not really necessary in terms of revenue. He felt the Commission should look out for their constituents, and he did not think this was a good idea at all. Mr. Swan thought education should be the goal, and he believed it was very difficult to rescind an increase once it was levied. He also felt any increase should be much less than 20%.

Mr. Edwards, of 501 Southwest 6th Avenue, said he had just finished paying for a new sewer system, and he was opposed to this increase. He wondered if salt water could be purified, and he promised not to water his lawn too much or drink too much water.

Mr. Zachary Pierce, of Lauderdale Isles, said he had received notice of this at 3:00 P.M. today, and he supported Commissioner Moore's idea of allowing the surcharge only for a specified period of time if an increase was going to be approved. He thought people should be rewarded for decreasing water usage, and he agreed there was the possibility that this would be a protracted drought. Mr. Pierce believed enforcement of restrictions was weak, and he thought the City could recoup revenue if enforcement efforts were stepped up, particularly after regular working hours. He also thought the additional revenues would really be used for capital improvements, although he did not think it would be a good idea to use reserve funds.

Mr. Fred McMurtrick felt the overall water program in South Florida should be examined as a start to resolving the problem. He believed Fort Lauderdale should have input with the SFWMD in Martin County because that was where the problem had started. Mr. McMurtrick believed a 20% water rate increase would hurt a lot of families. As a volunteer teacher, he knew children who did not have enough food to eat, never mind their families having to pay more for water. Mr. McMurtrick thought the construction of reservoirs should be considered if that was what it would take to resolve the water issues in the long term.

Ms. Pat Budell, 520 Southwest 10th Avenue, felt 20% was too great an increase. She pointed out that people did not receive 20% salary increases. Ms. Budell understood Fort Lauderdale had reduced consumption by 17% already, and she felt it should be held out as an example rather than penalizing the residents. She did not know how much more water people could save, and she was against any increase.

Mr. Brooker Deluce, 2781 Northwest 16th Court, said he owned several duplexes and triplexes, and most of his tenants were elderly people living on fixed incomes. He had visited all his tenants and encouraged them to conserve water, and he had seen the water bills decrease. Mr. Deluce thought that if everyone did his or her part to conserve, this rate increase would not be necessary.

Mr. Bob Webster, 1436 Northwest 2nd Avenue, said he had attended a convention in Orlando in January, and on his way north, he had seen that the ponds, rivers and creeks had been 2' to 4' below normal. He did not think this situation would be resolved in 4 to 6 months with northern Florida so dry. Mr. Webster had received notice of this issue today, and he wished it had arrived earlier, but he wondered what the City itself was doing to conserve water. He had observed wet roadways, and he thought the City should be conserving water as well. Mr. Webster wondered how long it would take before people realized that water had to be reprocessed.

Ms. Ruth Stacey, of River Oaks, said she had also not received notice of this until today, and she was against an increase in the water rate. She agreed that everyone should conserve, and she used a minimum amount of water. However, she had neighbors and friends who had large families and would be hurt by this increase. If the Commission decided to increase the rates, she hoped it would support Commissioner Moore's suggestion.

Mayor Naugle hoped the Commission would not support this increase. He had found out about this proposal from reading it in the newspaper, and he thought the statements contained in the paper had eliminated any opportunity to use the rate structure as a conservation measure. Mayor Naugle agreed Fort Lauderdale residents were doing the best job in Broward County, and he thought some additional educational programs would be helpful. He pointed out that more and more living units were being constructed, yet there was not enough water for the number of units that already existed.

In the long term, Mayor Naugle believed the City would disconnect from the Biscayne Aquifer and begin using reverse osmosis. Water would come from the Florida Aquifer, and the City would no longer be affected by the SFWMD because it would start using desalinization to convert salt water to fresh water. In the meantime, however, Mayor Naugle believed reserves could be used, and he supported Commissioner Smith's suggestion about austerity. He thought expenses could be cut by reducing travel and automotive expenses, along with reducing dues, subscriptions and overtime costs. Mayor Naugle recalled last year's drought, although there had not been any water restrictions, but he could tell the water pressure was down. He believed extra money had been generated, but he did not remember staff suggesting a rate decrease. Mayor Naugle also agreed with the previous speaker that the City should have some seats on the SFWMD.

Commissioner Smith agreed with Mayor Naugle. He also wanted to make certain that the existing water restrictions were vigorously enforced. Mayor Naugle noted that included City property and agreed with Mr. Webster about the City setting a good example. Commissioner Smith believed there were those who had their sprinklers on timers and did not know how to change them. He suggested this subject be addressed as part of the public information effort. He also wanted to challenge the City Manager to come up with an austerity program to make up losses. Further, he wished to keep options open if Phase III restrictions were imposed and the revenue loss too great.

Commissioner Moore believed that part of the reason some of the City areas were being sprinkled automatically was because of the type of equipment purchased a few years ago. He pointed out that the equipment was solar-powered, and the intent had been to conserve water, but it was not as easy to address as the conversation might imply. Commissioner Moore explained that the equipment detected when water was needed and came on only at those times. He wanted the public to understand the City was not a terrible violator of the restrictions.

Commissioner Moore wanted staff to deal with a public education process over the next two years as discussed, and let people know about the possibility of a surcharge at the next meeting if there was a need. Mayor Naugle suggested a challenge indicating that if reductions could be achieved, the rates would not be increased. Commissioner Smith felt the City should offer as many ideas as possible for conserving water, such as low-flow shower heads, etc.

Mr. Kisela understood the feelings of the Commission, but part of the difficulty was that the Senate Bill to implement rate increases required a 30-day notice period to all customers. He said that made it more challenging if Phase III restrictions were imposed in March. Therefore, even if the Commission decided to support some level of rate increase on March 15, 2001, it could not be implemented before May. Mr. Kisela explained that the increase process could be very cumbersome in emergency situations.

Commissioner Smith had faith that staff could handle the challenge. Commissioner Katz suggested that reserves be used, if necessary, under the situation Mr. Kisela had just described. He reiterated that lost revenues were of some concern, but reserves could be used. He stated that the primary issue was water conservation, and staff had been trying to find some economic incentive. Commissioner Katz pointed out that this idea had not come across very well, particularly since the memoranda associated with the issue also indicated the City would lose \$1 million per month. Mr. Kisela apologized for the misunderstanding. He had wanted the Commission to be aware of the financial realities, but that had not been intended as the primary focus of the issue.

The City Manager noted that Fort Lauderdale provided water to customers beyond the corporate boundaries of the City. He did not wish to punish the taxpayers of the City by diminishing other services in order to "bail out" the rate payers to the water and sewer system. The City Manager said he would explore various methods of achieving savings, and the reserves could be used, but he had to be prudent as to when those reserves were used because those monies would be needed in the future when new technologies were explored. Mayor Naugle believed the good years and the "tight" years averaged out.

Commissioner Smith understood the 17% reduction already achieved included all the water customers. Mr. Kisela agreed it did, and he noted that enforcement activities and public education could only be applied within the City boundaries. Commissioner Smith asked that the customers outside the boundaries be broken out in future reports. Mayor Naugle suggested that the elected officials in the outside areas be notified that if water usage was not reduced, the City would have to consider a rate increase.

Commissioner Smith introduced the following ordinance on first reading:

ORDINANCE NO. C-01-

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED "WATER, WASTEWATER AND STORMWATER," BY AMENDING SECTIONS 28-76, 28-143, AND 28-144 THEREOF, TO INCREASE WASTEWATER USER RATES, WATER RATES AND SPRINKLING METER CHARGES.

Which ordinance was read by title only. Roll call showed: YEAS: none. NAYS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle.

Demolition of Buildings (R-1)

At the December 21, 2000 meeting of the Unsafe Structures and Housing Appeals Board, it was recommended that the City demolish the following buildings and assess the properties with costs:

- (1) 424 Northwest 23rd Avenue
- (2) 610 Northwest 15th Terrace
- (3) 1029 Northwest 6th Avenue

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE "A," BECAUSE OF NON-COMPLIANCE WITH THE SOUTH FLORIDA BUILDING CODE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

(Also see page 42 for reconsideration of Item No. 1).

**Executive Airport – Lease Amendment for
Lots 1 and 2, Lot 3, Lots 4 and 5, and Parcel 13
Related to Project 9779 – Northwest Area (Executive Airport)
Sanitary and Storm Sewer Improvements (R-2)**

A resolution was presented amending the leases for Lots 1 and 2, Lot 3, Lots 4 and 5, and Parcel 13 to provide the affected Airport lessees an opportunity to pay for the assessment for Project 9779, Northwest Area (Executive Airport) Sanitary and Storm Sewer Improvements, over a 10-year period similar to off-Airport property owners. (Also see Item M9 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A FIFTH AMENDMENT TO LEASE AGREEMENT WITH EASTGROUP PROPERTIES PERTAINING TO LOTS 1 AND 2; A SECOND AMENDMENT TO LEASE AGREEMENT WITH EASTGROUP PROPERTIES PERTAINING TO THE PARKING STRIP ADJACENT TO LOTS 1 AND 2; A FOURTH AMENDMENT TO LEASE AGREEMENT WITH EASTGROUP PROPERTIES PERTAINING TO PARCEL 13; A FOURTH AMENDMENT TO LEASE AGREEMENT WITH 6555 BUSINESS PARK, LTD. PERTAINING TO LOT 3; AND A SECOND AMENDMENT TO LEASE AGREEMENT WITH LIBERTY PROPERTY LIMITED PARTNERSHIP PERTAINING TO LOTS 4 AND 5 AT FORT LAUDERDALE EXECUTIVE AIRPORT, ALL PROVIDING THAT THE SPECIAL ASSESSMENT LEVIED ON CERTAIN AIRPORT PROPERTIES WITHIN THE NORTHWEST (EXECUTIVE AIRPORT) AREA FOR SANITARY SEWER AND STORMWATER IMPROVEMENTS MAY BE PAID BY LESSEE IN INSTALLMENTS OVER A TEN YEAR PERIOD.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Street Name Additions – Rio Vista Neighborhood (R-3)

A resolution was presented authorizing the addition of various historic names derived from plats to the existing names of the roads in the Rio Vista Neighborhood. Commissioner Katz noted that this would be done without cost to the City.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO ADD VARIOUS HISTORIC NAMES TO EXISTING ROADS IN THE RIO VISTA NEIGHBORHOOD.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Street Name Addition – Southwest 1st Avenue from Southwest 17th Street to Davie Boulevard to also be known as “Packard Avenue” (R-4)

A resolution was presented authorizing Southwest 1st Avenue, between Southwest 17th Street and Davie Boulevard, to also be known as “Packard Avenue.”

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROVIDE THAT A PORTION OF S.W. 1ST AVENUE SHALL ALSO BE KNOWN AS "PACKARD AVENUE".

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Development of Significant Impact/IOA – La Rive Condominium - Vicenzo Esposito and Christian D. Wissing (PZ Case No. 123-R-00) (R-5)

At the Planning and Zoning Board regular meeting on December 20, 2000, it was recommended by a vote of 5 to 3 that the following application be approved.

Applicant: Vicenzo Esposito and Christian D. Wissing
Request: Approval of development of significant impact/IOA
Location: La Rive Condominium - 715, 725 Bayshore Drive

Having affirmed to speak only the truth by virtue of an oath administered by the City Clerk, the following individuals offered comment on this item.

Mr. Chris Barton, Construction Services, stated that the applicant wanted to develop a 43-unit condominium in the IOA area of the central beach. The proposed development would be 150' in height at 715-725 Bayshore Drive. He advised that the site was ¾ of an acre, and 12 residential levels were proposed on top of 4 parking and service lobby levels. Mr. Barton stated that 94 parking spaces would be provided where 93 were required, and yard setback modifications were being requested in accordance with ULDR Section 47-12.5.2 as a development of significant impact.

Mr. Barton reported that the proposed front yard was 20', which was the required setback, but a request was being made for modifications at the side and the rear. He stated that such modifications were permitted if approved by the City Commission and if the project met beach design guidelines. Mr. Barton believed this project met those guidelines. He stated that 20', 30' and 40' were the proposed side yard setbacks as the building rose in height. At the rear, a 20' setback was requested for the full height of the structure.

Mr. Barton said that during the discussion with the Planning & Zoning Board and DRC on December 20, 2000, several concerns had been expressed by members of the community. These issues related to the shadow cast by the building, primarily to the north, where there was a 3-story condominium building known as the Holiday Isle Yacht Club. Therefore, the applicant had been requested to provide a shadow study, which had been distributed to the City Commission. He advised that the study indicated that while this would shade on December 21st for a period from about 12:45 to 2:45 P.M., the Holiday Isle building itself actually shadowed its pool. Therefore, the increased shadow from the proposed project was not great. He said that staff felt the impact of the shadow was insignificant, and the site had been designed to take this issue into consideration.

Mr. Barton reported that another area of concern had been noise and light from the proposed 3-level garage. He stated that it would be largely enclosed with concrete panels, and the Architect had decreased openings and changed materials. The Architect also agreed to examine the lighting system to be used in the garage and installation of noise "deadening" pavement within the building. He advised that the amount of the traffic inside the garage would not be that great, and this was not an entertainment district, so this garage should be quieter than garages in commercial areas.

Mr. Barton noted that another concern had been the reflectivity of the façade because it was largely glass encased. He stated that the building had largely curved surfaces in order to minimize the bulkiness of the building and reflectivity. In addition, a non-mirrored glass would be used. Mr. Barton said that some concerns had been expressed about the need for additional landscaping along the Intracoastal Waterway and in the swimming pool area. Therefore, the applicant had agreed to provide some additional landscaping along the Waterway and in the pool area, probably in the form of raised planters. Mr. Barton stated that the City's Landscape Plans Examiner had indicated that this would provide more landscaping than was required by the Code and some would probably have to be removed in a year or two because the landscape plan was so lush.

Mr. Barton believed the landscaping would also address another area of concern expressed relating to the ground level on the water side. He stated that a small gymnasium was proposed in the lobby area, and a concern had been expressed about light from the gym crossing the waterway. He pointed out that the landscaping would obstruct this light, and smoked glass would be used as well.

Mr. Barton said that the last area of concern related to the disruption during the construction period, and the Central Beach Alliance had proposed certain mitigation measures for projects in the area in general. He stated that staff had examined these proposals, and an 11-point list of items had been developed for mitigation. Mr. Barton noted that staff typically imposed these requirements on projects, but they wanted to heighten awareness of these measures. He pointed out that most of the measures related to the form of demolition and construction activities. He stated that staff's measures were similar to those proposed by the Central Beach Alliance with the exception of Items 10 and 11, which staff felt were better addressed between the applicants and the Alliance. Mr. Barton explained that these were things the City would not impose.

Mr. Barton stated that a construction trailer was proposed, and it had been shown in the right-of-way of Bayshore Drive. Staff felt that would be a traffic hazard so, as a condition, staff had asked it be moved back onto the site. He advised that staff felt the project met the requirements of the ULDR and the beach design guidelines. Mr. Barton stated this would be a significant investment in an area of the City that had needed redevelopment for a number of years.

Commissioner Smith understood the openings in the garage would be altered, and different type of lights would be examined. He asked if the applicant agreed to use reflectors in the garage like Beach Place. Mr. Barton stated that Beach Place was very different in that it was much more open than this garage. This garage had 3 large, suspended, concrete panels with 6" openings. He stated that any light that came through would come through only those 6" slits. He advised that shielded, ceiling-mounted fixtures were proposed for a better lighting scheme.

Commissioner Smith asked if the proposal would meet the new Code requirements about throwing light out of a parking garage. Mr. Barton advised that a light meter study had not been requested, but he expected this met the Code requirements because the amount of light that would come out of this design was minimal in the first place, and the openings had been reduced even further. Commissioner Smith asked if the applicant had agreed to the construction rules proposed by the Central Beach Alliance. Mr. Barton stated that the applicant had agreed, but the City did not feel it could impose all of those rules. He advised that these issues were detailed in Exhibit 3.

Commissioner Smith hoped he could get some idea of what the reflective glass would look like. Ms. *Debbie Orshefsky*, Attorney for the applicant, introduced Mr. *Robert Cuff*, the applicant. She stated that the City had been working on redevelopment of the beach for quite awhile, and some of the refinements put into place were reflected in the project being presented this evening. Ms. Orshefsky thought it was interesting that there had only been 2 or 3 projects in the IOA project, and many more were unlikely. She believed that was because this was a primarily residential area, and the residential components existing in the area were primarily condominiums, co-ops, and multi-family residences, and it was very hard to get a large group of people to agree on anything let alone selling out and redeveloping. Ms. Orshefsky believed there was only 1 other parcel that could accommodate the same type of development as this project, so the low-key residential character of Bayshore Drive would be maintained.

Ms. Orshefsky said a different architectural style was proposed in this project, and the applicant had endeavored to create a building with a profile that complied with various design guidelines. In addition, it met Code requirements and the standards for permitting the yard modifications being requested this evening. She stated that the project met the compatibility design guidelines contained in the revitalization plan for the beach.

Mr. *Luis Revuelta*, Architect, said he had been working closely with staff to ensure compliance with all regulations. The applicant had wanted to create an elegant, very light building with clean lines. He stated that a contemporary style had been selected, and the rounded corners allowed for greater angles of visibility, light and air to surrounding structures. Mr. Revuelta stated that a very low reflective glass was proposed, and it was very transparent. He advised that the glass was a very light blue, and he circulated a brochure from the manufacturer. Ms. Orshefsky stated that the reflective value of this glass measured 5% to 7%, as compared to the 40% to 50% range of some office buildings.

Mr. Revuelta pointed out that the mass of the building had been broken in vertical forms so it was not perceived as a straight line but as a series of shapes going upward. He noted that the Planning & Zoning Board had requested certain design changes to address compatibility between the parking garage and surrounding residential uses. Therefore, certain architectural elements had been integrated into the design. For example, virtually 100% of the light would be blocked by the concrete louvers. He stated that nothing would be visible from the outside, and every effort possible would be made to shield noise and light from the garage. Mr. Revuelta stated that the floor would be treated to prevent skid noise, and the applicant had been extremely flexible to make this building attractive and light on the site.

Mr. Steve Lefton, Landscape Architect, described the landscaping plan for the project. He said it called for lush, mature landscaping. He explained that a layered effect was planned with a tropical character, and plant materials would be salt and wind tolerant due to the nature of the site. Commissioner Smith asked how many coconut palms would be used. Mr. Lefton replied that there would be a total of 11 coconut palm trees. Beneath them, there would be turf and seating area, and layers of plant material were planned closer to the building.

Ms. Orshefsky stated that this was a request for yard modification, but the project met the Code requirements in every respect. She advised that the standard for yard modification was a demonstration of how a project would comply with the revitalization plan and the design guidelines included in that plan. Ms. Orshefsky described the specific elements of the revitalization plan and noted that this project conformed with all of the objectives. She noted that one of the objectives included efforts to reduce mass and create a look of interest. Ms. Orshefsky stated that the curved, linear aspect of the building created a smaller mass, and he displayed a picture to demonstrate the point. She pointed out that the setbacks grew greater as the building grew taller so, instead of a square building with a 20' setback blocking the sky, there was a 40' setback at the top allowing space for sky and air. Ms. Orshefsky described in detail all of the features of the project and how they met the objectives of the revitalization plan.

Ms. Alysian Childs, President of the Central Beach Alliance, stated that this project had been presented at the October meeting of the Alliance and the usual concerns associated with large buildings on the beach had been discussed at the time. She said residents had expressed concerns about the garage, and the developer had agreed to a construction site management plan. This was an important issue for beach area residents. Ms. Childs stated that no directly adjacent neighbors had expressed concern about this project, but residents on the west side of the Intracoastal Waterway had issues that would be expressed this evening. She was aware of no other concerns.

Commissioner Smith asked Ms. Childs if she agreed that a "concrete canyon" could occur. Ms. Childs thought that would actually happen in the next few years. She advised that some condominiums had been approached to "sell out." In addition, parcels were being aggregated.

Ms. Rochelle Gottlieb, 712 Intracoastal Drive, vigorously opposed this project. She stated that reductions in the setbacks were not automatic. Rather, the City Commission had to determine that the proposed building was compatible with and preserved the character of the adjacent neighborhood. Ms. Gottlieb believed that called for consideration of the building scale, mass, location, size and height. In this case, a 150' glass building was proposed adjacent to residential housing, including low- and mid-rise multi-family dwellings. Further, it was to be located at the narrowest point on the Intracoastal Waterway. She believed it would be the biggest and most massive building in the IOA. Ms. Gottlieb did not feel this building would be compatible with anything else in the neighborhood or anything envisioned by the City. She distributed copies of some recent case law that would support the City's denial of this application.

Mayor Naugle asked how wide the Intracoastal Waterway was in this location, and Ms. Orshefsky replied it was 310' wide.

Mr. James Gibby, 736 Intracoastal Drive, did not feel the applicant's attorneys had been very forthcoming with information, particularly with respect to shadow studies. Therefore, he did not feel the applicant was dealing in good faith. Mr. Gibby felt this was a massive building that would be out of style with the neighborhood. He noted that this would be directly across the water from his home, and a compass bearing indicated that the shadow from the building would affect his home and those of his neighbors. Mr. Gibby hoped the Commission would take a careful look at the shadow studies and request further studies for a building of less mass, perhaps half the size of the proposed building. He felt this project would diminish the value of surrounding properties.

Ms. Orshefsky asked Mr. Gibby if he had reviewed the shadow studies that had been on file with the City for the past three weeks. He replied that he had first become aware of the shadow studies on Saturday so he had not. In fact, he had been unaware of any meetings prior to the meeting held on Saturday. Ms. Orshefsky reported that members of the Sunrise Intracoastal neighborhood had been present at the September DRC meeting and the December Planning & Zoning Board meeting. She asked Mr. Gibby if he had done any technical analysis that would support the statement he had made that the proposed building would shadow his home. Mr. Gibby said he had intended to do that analysis, but the studies had not been provided as promised. He had based his statement on his own observations. Ms. Orshefsky said she intended to review the shadow studies with the City Commission once the public had been heard.

Mayor Naugle wished to correct earlier statements relative to the height of the building. He believed the overall height would actually be 174'. For the purpose of measurement, the roofline was measured at 150', but the architectural features above did cast a shadow.

Ms. Barbara Bubier Sherbow, of Intracoastal Drive, hoped the Commission would deny approval of this project. She said she lived a few hundred yards south of the subject site, and directly across from an already approved 15-story building that sat next to an existing 15-story building. She said she was here to beg of the Commission to reconsider this project and send it back to the drawing board. Ms. Sherbow desired a project that would bring beauty and integrity to the waterway with reasonable height and in consideration of the properties on the west side of the Intracoastal.

Dr. Geraldine Udell, 520 Intracoastal Drive, said her home was directly across the water from an existing 15-story building, and she could speak first hand about the negative impacts on her property. She said it was terrible to go into her own back yard and have people staring down at her. Dr. Udell stated that 3 buildings had been torn down next door to make way for another tall building, and just the demolition work had negatively affected her home. She advised that if this project was approved, it would be the fourth in a very small area. Dr. Udell felt very strongly about the "concrete canyon" effect, which would negatively affect the neighborhood.

Mr. David McNolte, 722 Intracoastal Drive, thought this would be a beautiful building, but he did not feel this was the proper location, and he believed the lot was too small for a building of this size. Mr. McNolte displayed a photograph, and he considered "low key" and "significant impact" to be contradictions in terms. He believed this would be the only tall, glass building in the area, which he did not think would be compatible with the surrounding neighborhood.

Mr. Daniel Marquedante agreed with his neighbors. He was also concerned about boat docks since this was one of the most narrow areas of the Intracoastal Waterway. Mr. Marquedante pointed out that one terrible boat accident had occurred in this area a few years ago, and there had been another accident in the same location just last week. If this project was approved, he hoped that dockage would never be allowed, and he felt the height of the building would cause an eyesore.

Mr. Jack Trout, 700 Intracoastal Drive, opposed this development. This was not something he wanted to get up in the morning and look at, and he believed there was room for more such buildings.

Ms. Christine Teel, President of the Sunrise Intracoastal Homeowners' Association, reported that the Association's Board of Directors had voted unanimously to oppose this project. She felt this building was just too massive for this size property, and she believed it would affect neighborhood property values. Ms. Teel advised that she had been a realtor for 20 years, and people either did not want to buy homes with tall buildings towering over them or they wanted huge price reductions. She thought there was a psychological issue in this respect, and neighborhood residents feared towers looming over their homes. Ms. Teel requested that the Commission deny this application. She noted that the Commission had approved an 8-story building known as LaCascade, and the neighborhood had embraced that project because it was more in keeping with the residential character of the neighborhood.

Mr. Ed Curtis, a resident of Sunrise Intracoastal neighborhood, was opposed to the project. He pointed out that Fort Lauderdale had 3 natural resources – the weather, the Ocean, and the waterways. He felt that anytime any of these natural resources were negatively impacted, it also impacted the local economy and neighborhoods. Mr. Curtis believed the standard involved in this decision was neighborhood compatibility, and the intent of the IOA was to preserve and protect the existing neighborhood. He thought there was room for more redevelopment, and he hoped the Commission would set the standard for that redevelopment here today.

Mr. Vinnie Esposito, 500 Intracoastal Drive, stated that it was his land under discussion, and there had been a lot of problems with the empty motels in the area. He hoped the Commission would make a decision that was best for everyone.

Ms. Maureen McNolte, 722 Intracoastal Drive, stated that Mr. Esposito lived in the Sunrise Intracoastal neighborhood, but this atrocious building would not be visible from his home. She pointed out that there were buildings next to the subject site on each site. She advised that the motels mentioned by Mr. Esposito were not empty because she had observed activity. Ms. McNolte supported redevelopment but not of this type.

Ms. Orshesky thought much of the discussion revolved around a question of taste, which was not something that could be regulated. She did not feel the issue was whether or not people who lived over 300' away liked the design or not. Ms. Orshesky noted that neighborhood compatibility had been mentioned, but she felt compatibility in a redevelopment area was different from compatibility in downtown Fort Lauderdale, Victoria Park, or Sailboat Bend. She noted that there were changes in perspective when redevelopment occurred, and the City's regulations acknowledged that fact.

Ms. Orshefsky stated that the central beach design guidelines involved a determination as to whether or not the proposed design was compatible with the character of the overall plan of redevelopment contemplated by the revitalization plan for the central beach area. It was not a matter of whether or not there were single-family homes over 300' away across a waterway. She reiterated that this project met all the goals and objectives of the revitalization plan, and she pointed out that staff had made the same finding.

Ms. Orshefsky said there was a high level of frustration about this project, and the applicant had spent a lot of time working with area residents. However, they had not heard the kinds of objections that had been voiced this evening. She thought it was interesting that the applicant had not been invited to the January meeting of the Sunrise Intracoastal Homeowners' Association Board of Directors, and she did not know how they had discussed a plan they had not seen at that point.

Ms. Orshefsky stated that no finger piers or davits were proposed. She advised that there were existing docks, and those would remain, but no overnight dockage was proposed. She referred to the shadow issue and noted that the Commission had received copies of the shadow study performed. Ms. Orshefsky explained that these types of studies were conducted on the worst days of the year, which happened to be the 21st of September, December, March and June. She pointed out the results of the shadow study on the different days, which showed a building shadow extending to the properties across the water for about an hour. Ms. Orshefsky noted that buildings were not designed for worst case scenarios, but there were only a few days of the year that shadows were an issue.

Ms. Orshefsky noted that reference had been made to the Commission setting redevelopment standards. She agreed that was the case, and she pointed out that the Commission had set those standards through adoption of the Zoning Code. Ms. Orshefsky believed it had been shown, and confirmed by staff, that this project met the requirements of the Code. She asked the Commission to support this project and help continue the redevelopment of the beach.

Commissioner Smith said he had planned to suggest that this item be deferred to allow an opportunity to make some modifications because he did not believe the Commission was going to support the project this evening. He believed certain problems could be corrected by reducing the height of the building, compromising on the design, and planting larger trees.

Ms. Orshefsky noted that the development team had been discussing the issues raised during this meeting, and the process allowed for some changes at this juncture. She advised that the applicant was prepared to reduce the height by about 15' by removing the top floor and providing additional landscaping material. Ms. Orshefsky stated that the applicant had been working with neighborhood residents, and she did not expect any more compromises could be made beyond the concessions offered.

Mayor Naugle asked which district, of the PRD, the ABA and the IOA, would permit the most intense development. Mr. Barton stated that PRD allowed the most intense district, allowing heights of 300' and a variety of uses and an FAR of up to 6. He noted that the ABA had a maximum FAR of 4, but there was a bonus provision that would allow up to 4.8, and a height of 250'.

Mayor Naugle concluded that the IOA was a less intense district, and the Code indicated it had been established for the purpose of preserving and revitalizing existing structures that fronted on the Intracoastal Waterway. He thought people considering homes on the west side of the Intracoastal Waterway probably relied on these goals and expected less intense development. Mr. Barton agreed that was probably true and less intense uses and lower heights were characteristic of what was allowed in that area.

Mayor Naugle felt FARs should include garages. In this case, the building would have an FAR of 7.43, so it would not be permitted in the PRD, which was the most intense development area. He acknowledged that was not a reason to deny this project because FARs did not apply in the IOA, but he felt it provided an idea of just how dense this building would be. Mayor Naugle pointed out that the setback requirements were half the height of the building, which would be 75', but only 20' setbacks were proposed. He thought a smart developer would consider mechanical parking systems to avoid the need for ramps and aisles in order to provide greater setbacks. Mr. Barton agreed that would reduce the FAR. Mayor Naugle believed that could eliminate the need for 3 or 4 stories.

Mr. Barton felt he had to point out that property owners read and relied on the City's Code, and the IOA indicated that 60 dwelling units per acre were allowed. In this case, the site could have 46 units, while only 43 were proposed. Therefore, this project was not the maximum allowed under the Code. Mayor Naugle pointed out that the project did not respect the 75' setback requirements. Mr. Barton stated that the developer was applying for a setback modification, which was provided for by the Code.

Commissioner Katz agreed with Mayor Naugle. She did not feel this building would be compatible with the neighborhood, and she did not think every property had to be maximized. Commissioner Katz noted that a height of up to 150' was permitted, but that did not mean it had to be done. She happened to like the design of this building, but she did not think it would be compatible.

Commissioner Hutchinson was very concerned about the potential for a "canyon effect" along the City's waterways. She believed the Zoning Code should be readdressed in that respect, and she was uncomfortable with the mass of this building. Commissioner Hutchinson was not crazy about the "wedding cake" design, and she thought it would be best to defer this decision.

Commissioner Moore agreed that neighborhood compatibility was important, but there were realities that had to be addressed. He did not believe there would ever be a "canyon" in this area of the waterway simply because of the existing development and zoning on the west side of the Intracoastal. Commissioner Moore agreed the design was a matter of taste, and he thought this design was rather clever. He strongly recommended that additional landscaping be provided on the west side of the building because it was clear to him that this decision was going to be deferred.

Commissioner Moore pointed out that the Code allowed buildings of 150', and he was tired of hearing about "true" height every time developments were proposed. He understood that buildings were measured as dictated by the Code, so this building was truthfully 150'. Commissioner Moore did not think it was fair to measure it in some other fashion. Nevertheless, he did not believe there was any chance this would be approved tonight, and it would be in the applicant's best interests to try to work with the community a little longer.

Motion made by Commissioner Smith and seconded by Commissioner Moore to defer this item to 6:00 P.M. on March 15, 2001. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Indemnification Letter –
Broward County – Project 10265 – Pedestrian Crosswalk on
Northeast 62nd Street (Cypress Creek Road) between
Northeast 21st Road and Northeast 22nd Avenue (R-6)**

A resolution was presented authorizing the City Manager to execute an indemnification letter, whereby the City agrees to indemnify Broward County, to the extent permitted by law, in connection with the installation of a signalized pedestrian crosswalk on Northeast 62nd Street (Cypress Creek Road) between Northeast 21st Road and Northeast 22nd Avenue.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-21

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INDEMNIFICATION LETTER WHEREBY THE CITY AGREES TO INDEMNIFY AND HOLD BROWARD COUNTY HARMLESS IN CONNECTION WITH THE INSTALLATION OF A SIGNALIZED PEDESTRIAN CROSSWALK ON NE 62 STREET BETWEEN NE 21 ROAD AND NE 22 AVENUE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Donation of City-Owned Property – Florida Department of
Transportation (FDOT) – Southwest Corner of Sunrise Boulevard
and Northwest 16th Avenue (R-7)**

A resolution was presented approving the donation of approximately 305 square feet of city-owned property located at the southwest corner of Northwest 16th Avenue and Sunrise Boulevard to the FDOT for roadway improvements. This item was **withdrawn** from the agenda.

**Project Grant Agreement – Florida Department of
Environmental Protection (DEP), Florida Land and
Water Conservation Fund (LWCF) – Improvements to Holiday Park (R-8)**

A resolution was presented authorizing the proper City officials to execute a project grant agreement (DEP Contract No. LW00385) accepting a grant in the amount of \$100,000 from DEP, LWCF for improvements to Holiday Park.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING A FLORIDA LAND AND WATER CONSERVATION FUND PROJECT GRANT IN THE AMOUNT OF \$100,000 FOR IMPROVEMENTS TO HOLIDAY PARK AND AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A PROJECT GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TO RECEIVE SUCH GRANT FUNDS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Reschedule March 6, 2001
Conference and Regular Meetings to March 15, 2001..... (R-9)**

A resolution was presented rescheduling the Tuesday, March 6, 2001 Conference and Regular meetings to Thursday, March 15, 2001.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCHEDULING THE MARCH 6, 2001, REGULAR AND CONFERENCE MEETINGS OF THE CITY COMMISSION TO MARCH 15, 2001.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Plat Approval – “Beta Plat” – Hibiscus LLC (PZ Case No. 23-P-00)..... (R-10)

At the Planning and Zoning Board regular meeting on December 20, 2000, it was recommended by a vote of 8 to 0 that the following application be approved.

- Applicant: Hibiscus LLC
- Request: Plat approval – “Beta Plat”
- Location: Northeast corner of State Road 84 and Southwest 15th Avenue

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS “BETA PLAT”.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Development of Significant Impact/PRD – Take Out Ice Cream Shop (“I Like Ike’s H₂O Ice”) – A. J. Yaari (PZ Case No. 147-R-00) (R-11)

At the Planning and Zoning Board regular meeting on December 20, 2000, it was recommended by a vote of 8 to 0 that the following application be approved.

Applicant: A. J. Yaari
Request: Approval of development of significant impact/PRD
Location: Take Out Ice Cream Shop (“I Like Ike’s H₂O Ice”) - 235 South Fort Lauderdale Beach Boulevard

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A BEACH DEVELOPMENT PERMIT FOR THE ESTABLISHMENT OF A TAKE OUT ICE CREAM SHOP IN AN EXISTING STRUCTURE ON PROPERTY LOCATED AT 235 SOUTH FORT LAUDERDALE BEACH BOULEVARD IN FORT LAUDERDALE, FLORIDA IN A PRD ZONING DISTRICT AS A DEVELOPMENT OF SIGNIFICANT IMPACT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Demolition of Buildings (Continued from Page 30) (R-1)

Commissioner Moore requested reconsideration of this Item because someone had wished to address the property at 424 Northwest 23rd Avenue, but had to leave for work.

Motion made by Commissioner Moore and seconded by Commissioner Smith to reconsider No. 1 of Item R-1. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Motion made by Commissioner Moore and seconded by Commissioner Smith to consider the property at 424 Northwest 23rd Avenue at 6:00 P.M. on February 20, 2001. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

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

Beach Redevelopment Advisory Board	Jay Adams Joanne Johnsen Steve Tilbrook John Amodeo Shirley Smith George LeMieux Desorae Giles-Smith Pamela Adams Linda Gill
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Beach Redevelopment Advisory Board
(Continued)

Ina Lee

Cemeteries Board of Trustees

Sharron Navarro
Sandy Casteel
Robert Powers
Franci Bindler
Joe Goldberg
Ned Skiff
Richard Kurtz
Kent Bogard
Susan Telli

Code Enforcement Board

Larry Hayes, Regular
Pat Hale, Alternate

Community Appearance Board

Scott A. Greig
Mirtha Toledo
George Henderson
Ron Trebbi

Insurance Advisory Board

Mark Schwartz

Northwest-Progresso-Flagler Heights
Redevelopment Advisory Board

David Damerau

Board of Trustees, Police and
Firefighters Retirement System

L. Reginald Wagner

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-26

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 Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

At 11:35 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

ATTEST:

Lucy Masliah
City Clerk