

City of Fort Lauderdale

City Hall
100 N. Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov



Meeting Minutes - DRAFT

Tuesday, July 2, 2013

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
BOBBY B. DuBOSE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JONDA K. JOSEPH, City Clerk
HARRY A. STEWART, City Attorney

Meeting was called to order at 6:04 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis, Commissioner Bobby B. DuBose and Commissioner Romney Rogers

Also Present: 5- City Manager, Lee R. Feldman; City Auditor, John Herbst; City Clerk, Jonda K. Joseph; City Attorney, Harry A. Stewart; Sergeant At Arms, Sergeant Michael Siekierski

Vote Roll Call Order for this Meeting

Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis, Commissioner DuBose, and Mayor Seiler

A moment of silence was observed for the family of former mayor, Bob Cox, who passed away this past week.

Invocation

Rabbi Schneur Kaplan, Downtown Jewish Center Chabad

Pledge of Allegiance

Olivia McGuire led the pledge of allegiance.

Approval of MINUTES and Agenda

13-0927 APPROVAL OF MINUTES - May 7, 2013 Regular Meeting, May 13, 2013 Workshop for City Attorney Interviews and May 13, 2013 Special Meeting for City Attorney Selection

Motion made by Commissioner Rogers and seconded by Commissioner DuBose to approve the minutes as shown.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PRESENTATIONS

PRES-1 13-0971 COMMUNITY APPEARANCE BOARD WOW AWARD FOR DISTRICT III

Commissioner DuBose recognized Alfonso and Nora Barnes of Melrose Manors as recipients of the WOW Award for District III.

13-0988 WALK - ON – RECOGNITION OF COMMUNITY RATING SYSTEM
TEAM FOR ACHIEVING REDUCED FLOOD INSURANCE
PREMIUMS

The City Manager announced that the Community Rating System Team of staff members was able to secure a 15 percent discount this year and 20 percent in the future for flood insurance premiums or approximately \$962,000 annually. Todd Hiteshew, Shannon Vezina, Jo-Ann Lorber, John Madden, Larry Teich, Rollin Maycumber, Chris Augustin, Matt Cobb, Guy Hine, Barbara Smith, Elkin Diaz, Gene Dempsey, Lee Potts and Freddy Zelaya. Their goal is to achieve a Class 5 designation.

PRES-2 13-0973 35th ANNUAL COMMUNITY APPEARANCE AWARDS - SPONSORS
OF WOW AWARD PROGRAM AND PROPERTY OF THE YEAR -
1953 NE 21 Street in Poinsettia Heights: Stiles Corporation, Dickey
Consulting Services, Northwest Progresso Community
Redevelopment Agency, The Rubin Group, Judy Stern Consulting,
Crush Law, Law Offices of Levi Williams, Massage Envy, Lochrie and
Chakas, Waterbrook Builders, Midgard Management

Vice Mayor Roberts and Commissioner Trantalis recognized the sponsors as well as 2013 Property of the Year, Curtis Feltner and Paul Rauthmell of Poinsettia Heights in District II.

PRES-3 13-0943 THE MAYOR AND CITY COMMISSION WILL ISSUE A
PROCLAMATION DECLARING JULY, 2013 AS RECREATION AND
PARKS MONTH IN THE CITY OF FORT LAUDERDALE

Commissioner Rogers presented the proclamation to Bruce Qualey, Chair of the Parks, Recreation and Beaches Advisory Board.

PRES-4 13-0923 CITY MANAGER'S OFFICE - DISTINGUISHED BUDGET
PRESENTATION AWARD FOR FISCAL YEAR 2013 OPERATING
BUDGET DOCUMENT - received from Government Finance Officers
Association - 29th consecutive year

The City Manager introduced and recognized staff in the Budget, Community Investment and Grants Divisions of his office for their accomplishments in achieving this award.

Consent Agenda

(CA)

Mayor Seiler announced the procedure for consent items.

CONSENT AGENDA

Approval of the Consent Agenda

Approve the Consent Agenda

Motion made by Vice Mayor Roberts and seconded by Commissioner Trantalis that Consent Agenda Items M-21, CR-5, CR-6, PUR-7 and PUR-9 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended.

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- M-1 13-0966** EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: 3rd Annual Fort Lauderdale Turkey Trot & Paddle; Mount Olivet Seventh-day Adventist Church International/Multicultural Day Celebration and National Night Out Against Crime.

Mayor Seiler noted this item has been amended to remove Mount Olivet Seventh-day Adventist Church International/Multicultural Day Celebration from this item.

Mount Olivet Seventh Day Adventist Church International Multicultural Day Celebration was removed from this item. See Memorandum 13-0966

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- M-2 13-0897** EVENT AGREEMENTS: 1) ArtServe's Red Eye Event; 2) Annual Back to School Giveaway & Health Fair and 3) Fourth of July at Plaza Bistro
APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- M-3 13-0692** WAVE STREETCAR PROJECT - SPECIAL ASSESSMENT IN DOWNTOWN AND SOUTH REGIONAL ACTIVITY CENTER BOUNDARIES - Interlocal Agreement with Broward County
APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- M-4 13-0831** CONTRACT RENEWALS OCTOBER, NOVEMBER, DECEMBER 2013, AND ONE FROM JULY AND SEPTEMBER - contingent upon each respective vendor agreeing to the extension
APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- M-5 13-0978** FACILITY USE AGREEMENT AGREEMENT - Fire Rescue Department training on garage doors - Electronic Door-Lift, Inc.
APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- M-6 13-0873** SETTLEMENT OF GENERAL LIABILITY FILE GL12-215C (Carl Karmin) - \$30,850
APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

M-7 13-0889 CYBER LIABILITY INSURANCE POLICY PURCHASE - \$23,181.49

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

M-8 13-0891 WORKERS' COMPENSATION INSURANCE - use of negotiation
method to obtain insurance premium quotes

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

M-9 13-0862 GRANT FOR BILL KEITH PRESERVE PHASE II - AGREEMENT
WITH BROWARD COUNTY - \$20,000 - Partners in Preservation,
Land Stewardship Program - no City match

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

M-10 13-0863 GRANT FOR MILLS POND PARK ENHANCEMENT PHASE I -
AGREEMENT WITH BROWARD COUNTY - \$50,000 - Partners in
Preservation, Land Stewardship Program - no City match

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

M-11 13-0864 GRANT FOR MILLS POND PARK ENHANCEMENT PHASE II -
AGREEMENT WITH BROWARD COUNTY - \$25,000 - Partners in
Preservation, Land Stewardship Program - no City match

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

M-12 13-0865 GRANT FOR SNYDER PARK QUADRANT 1B - AGREEMENT WITH
BROWARD COUNTY - \$40,000 - Partners in Preservation, Land
Stewardship Program - no City match

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

- M-13 13-0929** GRANT FOR TAXIWAY GOLF RELOCATION PHASE I - EXECUTIVE AIRPORT - Agreement with Federal Aviation Administration - \$1,493,540 pending award
APPROVED
Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers
- M-14 13-0746** FUNDING INCREASE - 2013 ANNUAL CONCRETE AND BRICK PAVERS CONTRACT - repair and restoration of sidewalks, ADA ramps, paver brick, curbs and asphalt - Straightline Engineering Group, LLC - \$153,806
APPROVED
Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers
- M-15 13-0855** GRANT EXTENSION TO JULY 31, 2013 - SECOND AMENDMENT TO URBAN AREA SECURITY INITIATIVE MEMORANDUM OF AGREEMENT - Technical Response Team Specialty Rescue Vehicle Project
APPROVED
Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers
- M-16 13-0806** GRANT EXTENSION - RIVER OAKS STORMWATER PARK GRANT - Florida Department of Environmental Protection - extending deadline from August 31, 2013 to February 28, 2015 and authorizing City Manager to execute all necessary documents
APPROVED
Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers
- M-17 13-0811** CHANGE ORDER 3 (FINAL) - FLAGLER DRIVE GREENWAY AND BICYCLE FACILITY - MBR Construction, Inc. - \$13,673.35 and 68 additional work days
APPROVED
Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers
- M-18 13-0853** CHANGE ORDER 10 (FINAL) - SISTRUNK STREETSCAPE PROJECT - Central Florida Equipment Rentals, Inc. - credit of (\$546,170.05)
APPROVED
Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-19 13-0866 CHANGE ORDER 13 (FINAL) - SOUTH SIDE SCHOOL - Trintec Construction, Inc. - \$7,072.52.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-20 13-0958 1) AMENDMENT OF ANNUAL STORM DRAINAGE CONTRACTS TO INCLUDE ADDITIONAL PROJECTS ON AS NEEDED BASIS - GPE Engineering & General Contractor Corp., secondary contractor Southeastern Engineering Contractors, Inc. and tertiary contractor Ric-Man Construction Florida Inc. AND 2) WORK ORDERS 4 AND 5 - HOLIDAY PARK JIMMY EVERT TENNIS CENTER - \$79,699.01 including \$5,903.63 (8%) construction service fees and SW 13 STREET - \$92,433.43 including \$8,400 (10%) construction service fees and contingencies with GPE Engineering & General Contractor Corp.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-21 13-0629 FLAVORS OF FORT LAUDERDALE EVENT- Request of Beach Business Improvement District Advisory Committee for funding - \$60,000

Charles King, 105 North Victoria Park Road, was opposed to this item. He asked about the funding source. The City Manager advised that the funding is from the Beach Business Improvement District.

Motion made by Vice Mayor Roberts and seconded by Commissioner DuBose to approve the item as recommended.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-22 13-0977 WORK ORDER 5 - STREET RESURFACING IN DORSEY RIVERBEND - Annual Asphaltic Concrete Pavement Contract - Weekley Asphalt Paving Inc. - \$60,000

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CONSENT RESOLUTION

CR-1 13-0815 CONSOLIDATED BUDGET AMENDMENT TO FISCAL YEAR 2013 BUDGET - APPROPRIATION

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CR-2 13-0951

DEDICATION OF ADDITIONAL RIGHT-OF-WAY FOR SOUTH ANDREWS AVENUE - over a portion of South Side School properties in conformance to Broward County Trafficways Plan - contingent upon approval by Florida Communities Trust, Florida Division of Historical Resources and Broward County Historical Commission

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CR-3 13-0895

QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM - RECOMMENDING PROJECT REPEL as a qualified target industry business applicant and providing local financial support in the amount of \$165,200 contingent upon approval by State of Florida

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CR-4 13-0896

QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM - RECOMMENDING PROJECT RICH as a qualified target industry business applicant and providing local financial support in the amount of \$21,000 contingent upon approval by State of Florida

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CR-5 13-0914

NORTHWEST COMMERCIAL REDEVELOPMENT - Seventh Amendment to Development Agreement relating to Phase II project development schedule and Second Amended and Restated Assignment of Rights and Assumption of Obligations under Development Agreement and Conditional Consent

Charles King, 105 North Victoria Park Road, asked if Save-A-Lot is not successful, is the property returned to the City. The City Manager advised this is an amended agreement to provide financing alternatives for the non-developed piece of this project. In further response, he advised that it is a mixed use project.

Motion made by Vice Mayor Roberts and seconded by Commissioner DuBose to adopt the resolution as recommended.

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- CR-6 13-0759** GRANT APPLICATION AND ACCEPTANCE - SUN TROLLEY DOWNTOWN WAVE LIMITATION LINK AND BEACH LINK EXPANSION - Florida Department of Transportation Transit Corridor Program - two years of operational costs and a trolley replacement - City match required

The City Clerk noted this item has been amended to a motion only, limiting action to the grant application only.

Motion made by Vice Mayor Roberts and seconded by Commissioner DuBose to approve the item as amended and reflected above. See Memorandum 13-0759 attached to these minutes.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Amended to motion only, limiting action to grant application only.

- CR-7 13-0821** DESIGN AND CONSTRUCTION OF TAXILANE CHARLIE PAVEMENT REHABILITATION AND REPLACEMENT OF AIRFIELD LIGHTING AT EXECUTIVE AIRPORT - additional participation by Florida Department of Transportation in the amount of \$481,328 - Supplemental Joint Participation Agreement

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PURCHASING AGENDA

- PUR-1 13-0774** ONE-YEAR CONTRACT FOR METER VALVES AND SETTING EQUIPMENT in the estimated amount of \$253,588 from Ferguson Enterprises, Inc. and authorize City Manager to approve renewal options contingent upon approval and appropriation of funds

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- PUR-2 13-0825** THREE-MONTH CONTRACT EXTENSION FOR AGGREGATES in the estimated amount of \$56,500 from Soil Tech Distributors, Inc. and Austin Tupler Trucking, Inc.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- PUR-3 13-0826** PURCHASE OF VARIABLE FREQUENCY DRIVE REPLACEMENT in the amount of \$61,196 from Mills Electric Service, Inc.

REMOVED FROM AGENDA

PUR-4 13-0836 THREE-YEAR CONTRACT FOR SULFURIC ACID in the estimated amount of \$226,000 from Shrieve Chemical Company and authorize City Manager to approve renewal options contingent upon approval and appropriation of funds

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-5 13-0842 CONTRACT FOR SMALL WATER MAIN IMPROVEMENTS PROJECT in the estimated amount of \$1,038,328 from Giannetti Contracting Corporation

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-6 13-0859 THREE-YEAR CONTRACT FOR LOCKBOX SERVICES in the estimated amount of \$207,386 from Intuition Systems d/b/a Bill2Pay and authorize City Manager to approve renewal option contingent upon approval and appropriation of funds

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-7 13-0860 PURCHASE OF BASEBALL FIELD LIGHTING AND ELECTRICAL IMPROVEMENTS AT OSSWALD COMMUNITY PARK in the amount of \$305,589 from Electrical Contracting Service, Inc.

Mayor Seiler confirmed for Charles King of 105 North Victoria Park Road, that the City is installing lighting and electrical improvements at Osswald Park in order to have baseball fields at that location. The City acquired the property from the County. Mr. King referred to other parks and recreation improvements the City has accepted and noted going forward the City should keep in mind that there are associated costs. He did not think this was a wise decision, considering contemplated property tax and fire assessment fee increases. Mayor Seiler noted that taxes have not been raised in the past five years.

Motion made by Vice Mayor Roberts and seconded by Commissioner DuBose to approve the item as recommended.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-8 13-0880 ONE-YEAR CONTRACT FOR SPECIALIZED COMPUTER SEARCH SERVICES in the estimated amount of \$57,996 from LexisNexis Risk Solutions FL, Inc.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-9 13-0920 CITYWIDE TOWING SERVICES - REJECT ALL PROPOSALS UNDER RFP 135-11084 AND AWARD TWO-YEAR CONTRACT UNDER RFP 135-11212 in the total revenue amount of \$460,000 from West Way Towing, Inc.

The City Manager advised that both parties have met with staff. The Commission's proposal to geographically divide the city was not acceptable to both parties.

John Milledge, representing All County Towing, recalled concern expressed at the last meeting about Westway's facility being in Lauderdale Lakes and the distance that would have to be traveled. City staff has proposed a north and south geographic zone division. All County is agreeable with this concept. Staff also asked All County to pay for half of Westway's special hold facility so that the Police Department could send all vehicles to one location. Subsequently, Westway proposed that the contract be divided based on types of calls. He provided more detail on this concept that is attached to these minutes. He contended that seventy-five percent of the revenue would go to Westway. He also presented a list of All County personnel along with their years of experience in the industry that is also attached to these minutes.

Joe Goldstein, representing Westway Towing, noted this is procurement for police tow requests, different than private property towing. They are unique and specialized, such as traffic accidents, abandoned vehicles and those vehicles involved in arrests. The City's request for proposals based on facilities, experience and permit fees. Although All County proposed a greater permit fee, every member of the Evaluation Committee rated Westway number one in the other categories. Westway has worked with the City for the past six years, towing approximately in excess of 50,000 with three complaints during the course of six years. All of the complaints were resolved amicably. He elaborated on Westway's experience throughout the county. Westway's special hold facility is in the city limits and separate from their Lauderdale Lakes facility which is 1 ½ miles out of the northern city limits. The RFP calls for the proposer that has had a similar contract with a similarly sized city which All County does not possess. In theory All County should have been found non-responsive. Nevertheless, Westway met with All County but was unable to reach agreement. He referred to the City's bid protest procedure and questioned it not being followed. City staff recommends Westway.

Mr. Goldstein read a portion of the RFP (page 32) concerning experience for Commissioner Rogers. As to similar experience, the City has the discretion to allow it by the company or key personnel. In further response, Mr. Goldstein advised that his partner attended the meetings with City staff and All County and he is now on vacation. He understood the meetings occurred sequentially and Westway was not in the first one when the geographical split was discussed. He was not aware that there was ever a formal agreement at any point or that All County agreed to make Westway whole because of the special hold facility. He only heard tonight about All County compensating Westway for the special hold facility. Westway does not believe the north-south arrangement is feasible from a practical standpoint and he believe City staff supports this. He acknowledged that All County's detail on the concept is more beneficial to Westway, but he did not agree with the quoted 75/25 percent break. Westway was the number one ranked vendor. He felt the percentage break is likely 60/40. He explained the logistics of the proposal with respect to the special hold facility accommodation for Westway. If All County would agree with Westway's financial split on the special hold facility and the breakdown be based on tow type, Westway would be agreeable with discussing this. However, he understood that City staff has some concerns. In response to Commissioner Rogers, Kirk Buffington, Deputy Director of Finance, advised that the initial concern is after dispatching goes to the County, whether the dispatcher will know the

difference between types of tows. However, negotiations were not shut down by staff based on this point. Commissioner Rogers wanted it to be worked out between the two companies in order for there to be competition in the picture.

Vice Mayor Roberts referred to experience and that it was made clear that the company possess the experience and not simply employees, who may come and go. Mr. Buffington advised that the RFP is clear that the proposer have a contract of similar nature, police towing, with a similar size city. A determination was made that the Evaluation Committee make the determination whether experience that employees bring to the table is sufficient. It was discussed by the committee. Vice Mayor Roberts noted that All County did not meet the criteria just through the proxy of their employees. He emphasized that Westway has been under contract for six years, over 50,000 tows and very few complaints. Having special holds in a secure facility and close to police headquarters for investigation is extremely important. There is a risk of crime scene material and solving crimes. It is felt that Westway provides by far the best facility for those purposes. He recalled when the contract was split years ago and it was a nightmare. It is not the way to do business. He supported staff's recommendation of Westway. He encouraged All County to gain experience somewhere else and compete in the future. Commissioner DuBose felt the contract could be split. He also felt the two should work out an equitable arrangement. He thought clear direction had been given by the Commission. Mayor Seiler agreed with Vice Mayor Roberts. He suggested a one-year contract award to Westway. He noted the track record. There is a bid protest process yet this came to the Commission.

Motion made by Vice Mayor Roberts and seconded by Commissioner Trantalis to award a one-year contract to Westway Towing.

Commissioner Rogers explained his concern is about the industry and desire for a check and balance or an exception to the rule based on that concern. Vice Mayor Roberts expressed his comfort with Westway in the police towing field based on their experience with the City although he shared the same concerns about practices that have been seen publicly. Commissioner Trantalis did not want to second guess staff any more than necessary. At the same time he agreed with Commissioner Rogers. He supported a one-year contract. In response to Commissioner DuBose, Mr. Buffington advised with a one-year contract, the City would move forward with towing service competition in five to six months. He speculated on what could occur in the marketplace. The scope and specifications will probably be changed as a result of these discussions. Commissioner DuBose did not see that a one-year contract is a true resolution to the issue.

APPROVED

Aye: 3 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis

Nay: 2 - Commissioner DuBose and Commissioner Rogers

PUR-10 13-0928

RECYCLABLES PROCESSING SERVICES - PIGGYBACK FIVE-YEAR CONTRACT between City of Deerfield Beach and Sun Recycling LLC, a Florida limited liability company, and Bergeron Environmental and Recycling, LLC, a Florida limited liability company, jointly and severally, d/b/a Sun-Bergeron, JV, in the total revenue amount of \$2,399,400

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- PUR-11 13-0947** THREE-YEAR CONTRACT FOR CONCESSION AND CATERING SERVICES AT WAR MEMORIAL AUDITORIUM in the estimated revenue total of \$208,627.50 from Professional Concessions, Inc. and authorize City Manager to approve renewal options
APPROVED
Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers
- PUR-12 13-0963** PURCHASE OF EXOTIC REMOVAL SITE CLEARING AND FENCE INSTALLATION in the estimated amount of \$110,000 from DGC Environmental Services, Inc. d/b/a Common Areas Maintenance
APPROVED
Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers
- PUR-13 13-0980** SINGLE FAMILY RESIDENTIAL HOUSEHOLD GARBAGE, TRASH AND YARD WASTE COLLECTION - MONTH TO MONTH CONTRACT from Choice Environmental Services of Broward, Inc. - up to sixty days commencing on August 1, 2013 - estimated amount of \$274,986.76
APPROVED
Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

MOTIONS FOR DISCUSSION

- MD-1 13-0974** CONTRACT TO PROVIDE FIRE PREVENTION BUREAU INSPECTOR SERVICES ON AS-NEEDED BASIS TO CITY OF WILTON MANORS

Motion made by Vice Mayor Roberts and seconded by Commissioner Trantalis to approve the item as recommended.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

- MD-2 13-0969** CITY COMMISSION REQUEST TO REVIEW - GALLERIA LANDINGS SITE PLAN LEVEL III - Case 47-R-13
- Applicant: Premier Developers V, LLC
Location: 1180 North Federal Highway
Zoning: Boulevard Business B-1
Future Land Use: Commercial

Mayor Seiler noted that Commissioner Trantalis has filed a statement of intent with the City Clerk requesting a hearing to review this development permit application.

Commissioner Trantalis believed there are significant aspects of the development that contradict the North U.S. 1 Urban Design Plan (Design Plan) developed in 2008. He reviewed the history of the Design Plan's development, its boundaries and purpose. The City should stay with the visioning process. He believed there will be a negative impact to East Point Towers which is adjacent to the proposed site as well as those that live in the George English Park area.

The following discussion took place in response to questions posed by other members of the Commission. Commissioner Trantalis explained he is concerned about height and setback. Moreover the building is more than the customary 200 foot length. The building will set a shield such that George English Park will never see the sun after 3 p.m. He stressed the importance of the City following the visioning process conclusion. Vice Mayor Roberts noted that the Planning and Zoning Board reviewed the development and staff believes it meets the criteria of the Design Plan. Although the Design Plan was accepted by the Commission, it was not enacted by ordinance. Depending on setback, it calls for heights in excess of six stories. The shadow only becomes an issue in the middle of the winter and only starts to infringe on the park. The Coral Ridge Homeowners Association has discussed this matter but has taken no stand on it. Greg Brewton, Director of Sustainable Development, confirmed staff found it meets the Design Plan criteria. The 200 foot maximum length does not apply to this location because of its zoning district. There is no maximum length because it is mixed-use. The length is determined by being able to meet several conditions and criteria in the zoning district. The six-story on waterfront is a design guideline established by the Design Plan, however, height can be varied in areas where it meets other criteria. He elaborated upon staff's thinking to allow for the proposed height. The Design Plan recommends mixed-used development. The City Attorney explained that the Commission simply accepted the Design Plan. It was not adopted because the notice requirement for amending the Unified Land Development Regulations (ULDR) is significant and would have created problems with vested rights. It was voted on. Commissioner Rogers felt the proposal fits the area. A car dealership will be frontage for this site. The developer has not requested any exceptions to the ULDR. The reality of urban development is the view will be blocked at some point in time. He concurred that the Design Plan criteria should be taken into consideration along the U.S. 1 corridor, but he felt the proposal will be a plus on this site. The developer is taking a risk. Commissioner Trantalis felt there will be urban infill throughout and with that thinking, no parcel would have to comply. Mr. Brewton provided more historical insight on the Design Plan and its acceptance. There was a majority but not unanimous consensus amongst the property owners along the corridor on specific issues. Staff has plans to codify it in the next few months. This development will be a conditional use based on mixed-use and waterway criteria. It could be built without the Design Plan guidelines and could result in less of a development than is presented. It is B-1 zoning. Neighborhood compatibility could come into play.

Mayor Seiler opened the floor for public comment.

Greg Brintlinger, President of East Point Towers, indicated this is not just about view. East Point Towers of 274 residents has participated in planning processes. He noted East Point residents directly participated with Coral Ridge and Lauderdale Gate in obtaining a new bridge height by working with the State. The Design Plan took almost two years to develop. During that process, this property was shown as two parcels described as needing special attention. The proposed development was not the intent when the Design Plan took form. East Point is excited about a new development, but would like an opportunity to meet with the developer and City staff and find a better site plan.

Steve Dolgin, resident of and member on the East Point Towers Board of Directors, noted that this development will set a precedent. He was concerned about the setback footage. He urged the Commission to authorize a hearing on this development.

Marcie Nolan, representing East Point Towers, stressed that East Point is not opposed to development, but concerned with the scale and massing along the Middle River. This Design Plan is on the City's

website. She thought it was approved by the Commission as a model to use. Mayor Seiler explained that apparently the plan was only accepted, not adopted and approved. Mr. Brewton confirmed that is correct. Ms. Nolan felt that nevertheless it begs the question as to why it was placed on the City's website. She urged the Commission to set a hearing for August 20 so that East Point could reach out to the developer during the interim. The biggest concern is how it abuts East Point.

David Schwartz, resident of East Point Towers, felt this development will be precedent setting. The neighborhood deserves protection from this kind of development.

Charles King, 105 North Victoria Park Road, commented that John Weaver, President of Central Beach Alliance, commented on this development, saying nothing should be built around an existing development that would lower that development's property values. He supported the proposed development.

Shannon Harmeling, 1106 NE 11 Avenue, indicated she is a member of Lake Ridge Civic Association. She drew attention to the need to look at traffic impact. She urged the Commission to set a hearing in August.

Courtney Crush, representing Premier Developers, noted that as a conditional use, the development is subject to neighborhood compatibility. Neighborhood compatibility requires that consideration be given to the applicable master plan. The development is designed to minimize or eliminate all adverse impacts. It meets the code and master plan (Design Plan). City staff focused on height. The master plan speaks about heights up to 150 feet as a conditional use. The Planning and Zoning Board (Board) is supposed to consider if the development meets design and site plan criteria in order to be approved as a conditional use. The Board concluded unanimously that this is an appropriate use and design at this location. The Board also indicated that in the future if there are sites that are configured differently, those regulations should be looked at. Premier Developers met with East Point and will continue to do so. A height variance would be required for some ideas of Ms. Nolan's client. Based on feedback from the City, she did not think that is a path to follow. As to a hearing, she noted that there was one and the applicable regulations and plan were voted upon.

There was no one else wishing to speak.

Motion made by Commissioner Trantalis to set a hearing for review on August 20, 2013 died for lack of a second.

Died for lack of a second.

CITIZEN PRESENTATIONS

CIT-1 13-0960 ROBERT LEFFERTS - Update on United States People Against Sexual Slavery In Our Nation
Mr. Lefferts was not present.

CIT-2 13-0961 CHRISTINE TIMMON - Immigration and the U. S. Constitution

Ms. Timmon indicated she is an advocate for people who have lost their jobs through unconstitutional immigration. She provided information on this topic.

RESOLUTIONS

- R-1 13-0120 SIDEWALKS ON BAYVIEW DRIVE BETWEEN NE 13 STREET AND NE 16 STREET - requiring property owners to reconstruct or repair sidewalks abutting their properties**

Commissioner DuBose introduced the resolution, which was read by title only.

Commissioner Rogers asked if there are other sidewalks in need of addressing. The City Manager advised that these are the only two in this area that are trip hazards. Vice Mayor Roberts advised that there have been several complaints in this particular area. They are on the west side. In response to Commissioner Trantalis, the City Manager advised that the sidewalks are the property of the City, but he was uncertain who installed them originally. Commissioner Trantalis questioned why this is being imposed upon the property owners. The City Manager noted that the City's ordinance provides for the responsibility to rest with the abutting property owner and in these cases, the owners have trees that have caused the sidewalks to uproot. If there is no conduct on the part of the property owner disrupting the sidewalk, his position has been that the City repairs them. This is on the books of cities in his experience. Mayor Seiler felt the ordinance should be followed otherwise there would not be any motivation to maintain one's sidewalk. Taxpayers throughout the city should not have to pay for one individual's sidewalk that was not properly maintained by that individual. In this case, it is difficult for someone in a wheelchair to make their way. Commissioner Trantalis did not think it is fair to impose this without an actual causal connection between the property owner and the disrepair. The City Attorney explained the legal support for the ordinance and Commissioner Rogers discussed how it is generally clear if it is the property owner's fault.

ADOPTED

Aye: 4 - Mayor Seiler, Vice-Mayor Roberts, Commissioner DuBose and Commissioner Rogers

Nay: 1 - Commissioner Trantalis

- R-2 13-0805 QUASI-JUDICIAL - PINNACLE AT TARPON RIVER PLAT - Case 9-P-13**

Applicant: Lofts at Tarpon River LLC

Location: Northeast Corner of SE 9 Street and SE 2 Avenue

Future Land Use: Downtown Regional Activity Center

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Members of the Commission announced with whom they had spoken with and/or site visits made concerning this matter.

Michelle Klymko, representing the Applicant, noted that she has not registered as a lobbyist for this matter, but would do so tomorrow morning. It was approved unanimously by the Planning and Zoning Board. This plat contains two developments on it: Pinnacle at Tarpon River and French Village. Broward County has requested that portion for Pinnacle be separated. In response to Mayor Seiler, Tim Wheat, representing the Applicant, advised that he is not aware of any portion of the property being exempt from property taxes.

Vice Mayor Roberts introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

R-3 13-0822 QUASI-JUDICIAL - KARMAN PLAT - CASE 5-P-13

Applicant: Retail Plaza Properties, LLC

Location: 2949 North Federal Highway

Future Land Use: Commercial

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Members of the Commission announced with whom they had spoken with and/or site visits made concerning this matter.

In response to Vice Mayor Roberts, Robert Lochrie, representing the Applicant, advised that the property will be secured and then moving forward with demolition. Mayor Seiler asked that the rear of the site be properly maintained as it is adjacent to Coral Shores.

Vice Mayor Roberts introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

R-4 13-0844 GRANT APPLICATION FOR NE 13th STREET COMPLETE STREET PROJECT - authorizing submittal of application to Broward County - Broward Redevelopment Program - \$1.5 million

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

Aye: 4 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis and Commissioner DuBose

Not Present: 1 - Commissioner Rogers

R-5 13-0872 VACATION OF 80 FOOT ACCESS OPENING AND AMENDING NON-VEHICULAR ACCESS LINE - FAITH FARM - POWERLINE PLAT - Case 11-P-01A

Applicant: Fort Lauderdale Rescue Tabernacle, Inc.

Location: 1980 NW 9 Avenue

Neal Janov, representing the Applicant, advised that Fort Lauderdale Rescue Tabernacle operates Faith Farm. The request is to close the non-vehicular access line.

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

**R-6 13-0967 ALLIANCE FOR INNOVATION - authorizing City Manager to accept
appointment to Board of Directors for the Alliance for Innovation**

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

**R-7 13-0931 EXTENDING DEADLINE FOR CODE ENFORCEMENT LIEN
AMNESTY PROGRAM**

Mayor Seiler requested a public information release on this matter to inform the public of the deadline.

Vice Mayor Roberts introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

**R-8 13-0903 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS -
vacancy information provided under Conference Item BD-2**

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

Affordable Housing Advisory Committee Paula Tighe (consensus)

Beach Redevelopment Board Mel Rubinstein (Commissioner Trantalis)
Judith Scher (Commissioner Trantalis)

Education Advisory Board Heather Brinkworth – (Commissioner DuBose)

Historic Preservation Board Carol Lee Ortman – (Mayor Seiler)

Vice Mayor Roberts introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

Fred Carlson referred to two appointments to the Beach Redevelopment Board that expired five months ago Mel Rubinstein and Judith Scher. Both of these individuals reside in the same building which he did not think should be occurring in the interest of representative government. He questioned how many terms the individuals have served. Commissioner Trantalis advised it has only been three consecutive years. He suggested the individuals fill the balance of the one year term and then consider whether they should be replaced. He felt that geographical area is not the sole consideration for an individual's involvement, but rather it is their perspective, experience, goals and vision, which he shares with those individuals. However, he believes as many people as possible should be involved on all boards. Because they will have served for four consecutive years, he would ask them to step down at the end of this term so others can participate. Mr. Carlson explained the issue is that the City is facing development of the critically important old Escape Hotel. He alluded to the Central Beach Alliance's approval of the proposed design. However, the two individuals recommended for appointment to the Beach Redevelopment Board is complaining about the proposed building height. Commissioner Trantalis indicated it may be that he shares the same opinion.

PUBLIC HEARINGS

PH-1 13-0948 RESOLUTION - UNDERGROUNDING OF OVERHEAD UTILITY LINES - SETTING FEE FOR INITIAL UPFRONT COSTS - Idlewyld - Riviera Isles - Service Area A

Mayor Seiler opened the public hearing and noted the public hearing for PH-2 and PH-3 will be held along with this public hearing.

Roslyn Morvay, 334 Isle of Capri, Las Olas Isles, indicated that she is not a member of the Las Olas Isles Association (Association). She has not seen results of the vote and further, the vote was not sponsored by the City and has not seen any of the ballots. This is a standing problem with the Association. The City Attorney outlined the ordinance adopted concerning undergrounding and the history leading up to the ordinance in response to Commissioner Trantalis. Discussion ensued as to the process wherein the City Manager advised that there is no requirement for a formal vote by the homeowner association at this point in order to get the matter before the Commission.

Earl Goldberg, 337 Isle of Capri, Las Olas Isles, advised that he is a member of the homeowner association and went on to say that a vote was not taken. He believed the City is taking the word of one individual.

Evelyn Goldberg, 337 Isle of Capri, Las Olas Isles, advised that she has attended all of the homeowner association meetings on this matter. There were supposed to be two votes and ballots were to be mailed out. She has never seen any tally of fifty-one percent or evidence of a vote. Mayor Seiler advised that their president, Ken Cooper, contacted him today and asked for his support.

Tamara Tennant, president of Riviera Isles Homeowner Association, explained that the board voted to go forward with the process to find out the cost. Once the cost is known, petitions will go to every homeowner for a vote.

Mary Fertig, of Idlewyld Improvement Association, explained that after the City's ordinance was amended, the board mailed out a ballot and letter of explanation, including a survey. Over seventy percent responded in favor. Idlewyld also joined Riviera Isles to keep the cost down.

Howard Steinholz, president of Seven Isles Homeowner Association, advised that numerous meetings were held with the neighborhood. The board voted to moved forward. There are 305 lots and he has not

had a single objection to their letter of June 3.

Bob Osborn, 411 Isle of Capri, Las Olas Isles, explained their area does not know the cost or who is in favor.

Commissioner Trantalis commented that he attended Las Olas Isles Homeowner Association annual meeting shortly after being elected and Mr. Cooper announced at that meeting that the undergrounding was going forward.

There being no other individuals wishing to speak on this matter, a **motion** was made by Vice Mayor Roberts and seconded by Commissioner Trantalis to close the public hearing. Roll call showed: AYES: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Vice Mayor Roberts introduced the resolution, which was read by title only.

APPROVED AS AMENDED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

PH-2 13-0949 RESOLUTION - UNDERGROUNDING OF OVERHEAD UTILITY
LINES - SETTING FEE FOR INITIAL UPFRONT COSTS - Las Olas
Isles - Service Area B

See public hearing comment shown under Item PH-1.

There being no other individuals wishing to speak on this matter, a **motion** was made by Commissioner Trantalis and seconded by Commissioner DuBose to close the public hearing. Roll call showed: AYES: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers.

Motion was made by Commissioner Trantalis and seconded by Vice Mayor Roberts to defer this item to August 20, 2013. Roll call showed: AYES: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Deferred to August 20, 2013.

PH-3 13-0950 RESOLUTION - UNDERGROUNDING OF OVERHEAD UTILITY
LINES - SETTING FEE FOR INITIAL UPFRONT COSTS - Seven Isles
- Service Area C

See public hearing comment shown under Item PH-1.

There being no individuals wishing to speak on this matter, a **motion** was made by Commissioner Trantalis and seconded by Vice Mayor Roberts to close the public hearing. Roll call showed: AYES: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Commissioner Rogers wanted to make sure the utility companies follow through with removal of duplicate and surplus utility poles when this project is finalized.

Commissioner Trantalis introduced the resolution, which was read by title only.

APPROVED AS AMENDED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PH-4 13-0741 RESOLUTION - AMENDMENT TO NORTHWEST PROGRESSO FLAGLER HEIGHTS COMMUNITY REDEVELOPMENT PLAN - adding: Community Policing Innovation Program, Wireless Surveillance Camera System and Public Wi-Fi System - (Request to defer to August 20, 2013)

There being no individuals wishing to speak on this matter, a **motion** was made by Vice Mayor Roberts and seconded by Commissioner Trantalis to close the public hearing. Roll call showed: AYES: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

The City Manager advised that he requested deferral to allow for notice to taxing authorities.

Motion was made by Commissioner Trantalis and seconded by Vice Mayor Roberts to defer this item to August 20, 2013. Roll call showed: AYES: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Deferred to August 20, 2013.

PH-5 13-0926 RESOLUTION - BROWARD COUNTY MINORITY BUILDERS COALITION, INC. - 1) Five-Year Lease for subletting of 1145 NW 5 Avenue and 1200 NW 3 Street and 2) Memorandum of Lease in conjunction therewith - low-to-moderate income households

Charles King, 105 North Victoria Park Road, asked the purpose of this item. Mayor Seiler recalled this question was answered by staff the last time this item was on the agenda.

In response to Commissioner Trantalis, the City Manager provided detail on this item including its purpose.

There being no other individuals wishing to speak on this matter, a **motion** was made by Commissioner Trantalis and seconded by Vice Mayor Roberts to close the public hearing. Roll call showed: AYES: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

PH-6 13-0839 QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO EXCLUSIVE USE (X-P) - PARKING LOT AND SITE PLAN WITH COMMERCIAL FLEX ALLOCATION - EXPANSION OF BOAT OWNERS WAREHOUSE - Case 7-ZR-12

Applicant: Second Avenue Properties - Boat Owners Warehouse
From: Residential Low Rise Multi-Family - Medium High Density RM-15

Location: Southeast Corner of SE 3 Avenue and State Road 84 - 2307 SE 3 Avenue

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Members of the Commission announced with whom they had spoken with and/or site visits made concerning this matter.

There being no other individuals wishing to speak on this matter, a **motion** was made by Commissioner Trantalis and seconded by Vice Mayor Roberts to close the public hearing. Roll call showed: AYES: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Commissioner Trantalis introduced the ordinance, which was read by title only.

Steve Baum and Jeff Eisensmith, representing the Applicant, advised that they will register as lobbyists tomorrow morning.

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PH-7 13-0909 MOTION - ANNUAL ACTION PLAN FOR FISCAL YEAR 2013-2014 ENTITLEMENT GRANT PROGRAMS THROUGH U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The City Manager requested this deferral to July 9 to allow time for meeting with Commissioner DuBose.

Motion was made by Commissioner Trantalis and seconded by Commissioner DuBose to defer this item to July 9, 2013. Roll call showed: AYES: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Deferred to July 9, 2013.

ORDINANCES**O-1 13-0940 FIRST READING OF ORDINANCE AMENDING ORDINANCE
C-03-46 - ESTABLISHING STAGGERED TERMS FOR AUDIT
ADVISORY BOARD**

Vice Mayor Roberts introduced the ordinance, which was read by title only.

PASSED FIRST READING

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

**O-2 13-0910 FIRST READING OF ORDINANCE AMENDING UNIFIED LAND
DEVELOPMENT REGULATIONS, SECTIONS 47-6 AND 47-18,
Business Zoning Districts (CB, B-1, B-2, B-3) and Specific Use
Requirements - TO PROHIBIT PACKAGE LIQUOR STORE,
CONVENIENCE KIOSK, CONVENIENCE STORE, MULTI-PURPOSE
AND SUBSTANTIALLY SIMILAR USES WITHIN NORTHWEST
REGIONAL ACTIVITY CENTER**

Mayor Seiler opened the floor for public comment.

Charles King, 105 North Victoria Park Road, opposed the ordinance and elaborated upon his reasons, noting one area of the city should not be treated differently.

Sheryl Dickey, Mr. Brian Johnson, and Burnadette Norris-Weeks noted their support of the item.

Addie Owens, supported this item, indicating no more of these uses are needed.

In response to Commissioner Trantalis, the City Manager advised that the ordinance would also preclude franchises for these uses.

Commissioner Trantalis introduced the ordinance, which was read by title only.

PASSED FIRST READING

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

**O-3 13-0871 QUASI-JUDICIAL - SECOND READING OF ORDINANCE VACATING
RIGHT-OF-WAY - 74.5 feet along southern boundary of site - Case
6-P-13**

Applicant: Bac Home Loans
Location: 2401 NE 27 Avenue

Anyone wishing to speak must be sworn in. Commission will
announce any site visits, communications or expert opinions received
and make them part of the record.

Members of the Commission announced with whom they had spoken with and/or site visits made

concerning this matter.

Vice Mayor Roberts introduced the ordinance, which was read by title only.

ADOPTED ON SECOND READING

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis,
Commissioner DuBose and Commissioner Rogers

There being no other matters to come before the Commission, the meeting was adjourned at 9:46 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk