

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
JANUARY 21, 2009

Agenda

| Item | Resolution/Ordinance | Page(s) |
|-------------|--|----------------|
| | <u>Presentations:</u> | |
| | 1. Larry Fuller, Assistant City Clerk | 1 |
| | 2. American Heart Month | 2 |
| | 3. Community Appearance Board – WOW Award - District II | 2 |
| CA | Consent Agenda | 2 |
| M-01 | Event Agreement – Fort Lauderdale Billfish Tournament | 2 |
| M-02 | Event Agreement – Superbowl Party – Closing Sunrise | 3, 16 |
| M-03 | Event Agreement - Duck Fest Derby – Closing SW 2 Street | 3 |
| M-04 | Event Agreement – Greek Church Festival | 3 |
| M-05 | Event Agreement – Fab Four Roof Top Concert | 3 |
| M-06 | Event Agreement – Museum of Art Fort Lauderdale National Art Festival – Closing East Las Olas Boulevard | 4 |
| M-07 | Community Bus Services - \$23,760 – Agreement – United Residents Council | 4 |
| M-08 | Community Bus Services – Agreement - \$52,844.27 - Downtown Fort Lauderdale Transportation Management Association | 4 |
| M-09 | Contract Award – Palm Beach Building Group, Inc. - \$43,500 Bridge Cleaning and Painting – Tarpon River and Hendricks Isles | 5 |
| M-10 | Traffic Control Devices, Inc. – Litigation - \$40,000 | 5 |
| M-11 | Change Order 1 – Sanalil Construction, Inc. - \$42,277 Holiday Park Activity Center | 5 |
| M-12 | Change Order 7 – Miguel Lopez, Jr., Inc. - \$16,763.25 Intersection Restoration – Bayview Drive at NE 32 Street and NE 49 Street | 6, 16 |
| M-13 | Change Order 2 – Engineer Controls Systems Corp - \$15,650 – Toe-Wall Installation At New River and Other Minor Work | 6 |
| M-14 | Settlement of Vehicle Accident General Liability File VA GL 07-415 - \$65,000 | 6 |
| M-15 | Settlement of Property Damage Claim - \$146,789.70 Lexington Insurance Company | 7 |
| M-16 | Procurement of Property Insurance | 7 |
| M-17 | Excess Worker Compensation Insurance – Additional Premium - \$31,866 – Arch Insurance Company | 7 |
| M-18 | Rental Rehabilitation Program Requirement – One-Time Exception – H.O.M.E.S., Inc. – Properties on NE 6 Avenue | 7, 16 |
| CR-01 | 09-14 Amend Operating Budget – Transfer and Appropriation - | 8 |
| CR-02 | 09-15 Historic Preservation Grant Extension – New River Swing Span Bridge | 8 |
| CR-03 | 09-16 Community Bus Services – Interlocal Agreement – Broward County | 9 |
| CR-04 | 09-17 Change Order 3 (Final) – Darcon Group, Corp. - \$99,827.28 Repair Sidewalk Deficiencies | 9 |
| CR-05 | 09-18 Lincoln Park Environmental Issues – Increase Scope of Work Troutman Sanders, LLP - \$366,000 | 10 |
| CR-06 | 09-19 Contract Award – Leadex Corporation – Coontie Hatchee Park - \$322,965 | 11 |
| CR-07 | 09-20 Amend Operating Budget – Community Appearance Board - Appropriation | 11 |

| | | | |
|--------|---------|---|----|
| CR-08 | 09-21 | Triennial Municipal Primary and General Elections February 10, 2009 and March 10, 2009 | 12 |
| CR-09 | 09-22 | Amend Operating Budget – Appropriation - \$25,514,081 - Pre-Existing Debt and Capital Projects | 12 |
| CR-10 | 09-23 | Amend Operating Budget – Appropriation - \$1,975,000 Sistrunk Park Addition – Open Space 88 | 12 |
| CR-11 | 09-24 | Sistrunk Boulevard Streetscape Enhancement Project Grant – Florida Department of Transportation – \$1,809,749 | 13 |
| Pur-01 | | Eight Vehicle Replacements – Florida Sheriff’s Association Contract and Bid Award 592-10193 | 13 |
| Pur-02 | | 492-10187 – Rejection of Bids – Board-Up Services | 14 |
| Pur-03 | | 693-10139 – New Playground Equipment – Joseph C. Carter Park and Warfield Park | 14 |
| Pur-04 | | Proprietary – Wallace & Tiernan Brand Filter Replacement Parts | 15 |
| Pur-05 | | 493-10189 – Purchase Two Forklifts | 15 |
| Pur-06 | | Proprietary – Nalco Antiscalant | 15 |
| PH-01 | | Historic Designation – Sea Club Resort – Jolly Roger Hotel – 619 North Fort Lauderdale Beach Boulevard – Case 26-H-06 | 17 |
| PH-02 | | Chauffeur and Transportation Certificate of Public Convenience Application – Elegant Arrivals Limousine, Inc. | 17 |
| O-01 | C-09-01 | Comprehensive Plan Text Amendments – Water Supply Facilities Work Plan – Case 1-T-08 | 18 |
| O-02 | C-09-04 | Public School Concurrency Amendments To Unified Land Development Regulations – Case 13-T-08 | 18 |
| O-03 | C-09-05 | Reducing Quorum Requirement; Certain Advisory Boards And Committees | 19 |
| OB | 09-13 | Advisory Board/Committee Appointments | 19 |

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
January 21, 2009**

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

Roll call showed:

Present: Commissioner Christine Teel
Vice Mayor Charlotte E. Rodstrom (Arrived at 6:02 p.m.)
Commissioner Magdalene E. Lewis (Arrived at 6:02 p.m.)
Commissioner Cindi Hutchinson
Mayor Jim Naugle

Absent: None.

Also Present: City Manager George Gretsas
City Auditor John Herbst
City Clerk Jonda K. Joseph
City Attorney Harry A. Stewart
Sergeant At Arms Sgt. John Kane

Invocation was offered by Rabbi Moishe Meir Lipszyc of Temple Chabad Lubavitch of Fort Lauderdale, followed by the recitation of the Pledge of Allegiance.

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

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to approve the minutes of the November 18, 2008 Conference Meeting and December 2, 2008 Regular Meeting, and the agenda for the meeting of January 21, 2009. Roll call showed: YEAS: Commissioners Teel and Hutchinson, and Mayor Naugle. NAYS: None. (Commissioner Lewis and Vice Mayor Rodstrom were not present.)

Commissioner Lewis and Vice Mayor Rodstrom arrived at the meeting at approximately 6:02 p.m.

Mayor Naugle introduced David Hebert as the new Assistant City Manager.

Presentations

1. Larry Fuller, Assistant City Clerk (PRES-02)

The City Clerk presented Larry Fuller, Assistant City Clerk, with a commendation recognizing his accomplishments during his tenure with the City, and wished him well in his future endeavors. Mr. Fuller was relocating, as his partner accepted employment in Houston, Texas.

Larry Fuller thanked the Commission, the City Clerk and all of his co-workers.

2. American Heart Month (OB)

Commissioner Teel presented a proclamation, designating February, 2009, as American Heart Month in the City to Melinda Lee, Executive Director of Bank Atlantic Foundation. She announced particulars about National Wear Red Day on February 6, 2009 and good health tips.

Ms. Lee said that she is a volunteer and urged everyone to take the proper steps to have a healthy heart.

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

Vice Mayor Rodstrom presented the WOW Award to Charles and Tonie Griffin who reside at 1701 NE 6 Avenue. Mr. Griffin thanked the Commission for the award.

Consent Agenda (CA)

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

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

Event Agreement – Fort Lauderdale Billfish Tournament (M-01)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with the Marine Industries Association of South Florida, Inc. for Fort Lauderdale Billfish Tournament to be held February 5-8, 2009, at Las Olas Marina and adjacent parking lot.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0023

Event Agreement – Superbowl Party – Closing Sunrise Lane**(M-02)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with North Beach Square Neighborhood Association, Inc. for Superbowl Party to be held February 1, 2009, 12 Noon – 12 Midnight and closing Sunrise Lane.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0038

Event Agreement – Duck Fest Derby – Closing SW 2 Street**(M-03)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Kids in Distress, Inc. for Duck Fest Derby to be held February 7, 2009, 11 AM – 4 PM, and closing SW 2 Street from SW 4 Avenue to SW 5 Avenue, and SW 4 Avenue from SW 2 Street to the Riverwalk, 6 AM – 6 PM on the event day.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1914

Event Agreement – Greek Church Festival**(M-04)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with St. Demetrios Greek Orthodox Community of Broward County, Inc. for Greek Church Festival to be held February 6-8, 2009, on the church grounds at 815 NE 15 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0036

Event Agreement – Fab Four Roof Top Concert**(M-05)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Lincoln Financial Media of Florida for Fab Four Roof Top Concert to be held at Broward College, 111 East Las Olas Boulevard on January 30, 2009, 10 AM – 2 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0025

**Event Agreement – Museum of Art Fort Lauderdale National
Art Festival – Closing East Las Olas Boulevard****(M-06)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Museum of Art – Nova Southeastern University for Museum of Art Fort Lauderdale National Art Festival to be held at Huizenga Plaza on January 31 and February 1, 2009, 10 AM – 5 PM and closing East Las Olas Boulevard from Andrews Avenue to SE 1 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1924

**Community Bus Services - \$23,760 Agreement
United Residents Council****(M-07)**

The \$23,760 that Broward County will reimburse the City will be available in Fund 129, Subfund 01, GURC09-4204. When the appropriation of funds from the Budget Amendment in CAR 09-0033 is booked (this item is contingent upon approval of that Budget Amendment).

A motion authorizing the proper City Officials to execute an agreement with the United Residents Council – continued Community Bus Services – for a period of ninety days (January 30, 2009 – April 29, 2009), contingent upon approval of an Interlocal Agreement with Broward County for public transportation services and associated budget amendments to fiscal year 2008-2009 final operating budget.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0037

**Community Bus Services – Agreement - \$52,844.27
Downtown Fort Lauderdale Transportation Management Association****(M-08)**

\$52,844.27 will be available in Fund 129, Subfund 01, GSHUTTLE09-4204 contingent upon approval of the budget amendments in CAR 09-0033.

A motion authorizing the proper City Officials to execute agreement with the Downtown Fort Lauderdale Transportation Management Association – continued Community Bus Service (January 30, 2009 to April 29, 2009) in the amount of \$52,844.27 – contingent upon approval of an Interlocal Agreement with Broward County for public transportation services and associated budget amendments to fiscal year 2008-2009 final operating budget.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0035

Contract Award – Palm Beach Building Group, Inc. - \$43,500 (M-09)
Bridge Cleaning and Painting – Tarpon River and Hendricks Isles

Transfer \$54,549 from P11236.331-6599 General Fund CIP Holding account (P11 in the 2009 CIP Plan Book-Bridge Painting) to P11424.331-6599 all in Fund 331, Subfund 01. The transfer funds in the contract, engineering fees and contingencies as indicated on the bid tab.

A motion authorizing the proper City Officials to: (1) award and execute contract with the Palm Beach Building Group, Inc. in the amount of \$43,500 – cleaning and painting of three bridges – Tarpon River and Hendricks Isles – Project 11424; and (2) transfer \$54,549 to fund contract, engineering fees and contingency.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0014

Traffic Control Devices, Inc. – Litigation - \$40,000 (M-10)

Transfer \$40,000 from P11197.454-6599 Water and Sewer Fund Recap to P11263.454-6599 all in Fund 454, Subfund 01.

A motion authorizing transfer of \$40,000 to fund litigation regarding Traffic Control Devices, Inc. (Project 11263, Astaldi Construction Corporation) – Billing, Cochran, Heath, Lyles, Mauro & Anderson, P.A., to represent the City.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1863

Change Order 1 – Sanalil Construction, Inc. - \$42,277 (M-11)
Holiday Park Activity Center

\$44,509.28 is available in P11073.331-6599 and transfer \$3,686.50 from P11131.331-6599, City-Wide Fencing to P11073.331-6599, all in Fund 331, Subfund 01, to fund the change order and engineering fees.

A motion authorizing: (1) Change Order 1 with Sanalil Construction, Inc., in the amount of \$42,277 – Holiday Park Activity Center – increasing scope of work as requested by the Parks Department – Project 11073; and (2) transfer \$3,686.50 to fund this change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0009

Change Order 7 – Miguel Lopez, Jr., Inc. - \$16,763.25 (M-12)
Intersection Restoration – Bayview Drive At NE 32 Street and NE 49 Street

Transfer \$19,780.64 from P11236.331-General Fund CIP Holding Acct. (re: remaining from 2007 CIP completed project New Dillard Sidewalk) to P11154.331, all in Fund 331, Subfund 01, Subobject 6599.

A motion authorizing: (1) Change Order 7 with Miguel Lopez, Jr., Inc., in the amount of \$16,763.25 – 2007-2008 annual parking lot repair – restoration of intersections at Bayview Drive at NE 32 Street and NE 49 Street – Project 11154A; and (2) transfer funds to fund change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0013

Change Order 2 – Engineer Controls Systems Corp. - \$15,650 (M-13)
Toe-Wall Installation At New River and Other Minor Work

\$18,467 is available in P11034.331-6599 Fund 331 Subfund 01 to fund the change order and engineering fees.

A motion authorizing Change Order 2 with Engineer Controls Systems, Corp., in the amount of \$15,650 – increasing scope of work – 2007-2008 annual marine facilities, seawall, mooring buoy and vessel contract – toe-wall installation at New River and other additional minor work – Project 11034A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0012

Settlement of Vehicle Accident General Liability (M-14)
File VA GL 07-415 - \$65,000

Funds are budgeted in INS010101/5104 (Automobile Liability Claims), Fund 543/01. There are sufficient funds to cover the amount of \$65,000.

A motion authorizing settlement of vehicle accident general liability file VA GL 07-415 (Estate of Donald Perry) - \$65,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1936

Settlement of Property Damage Claim - \$146,789.70 (M-15)
Lexington Insurance Company

Appropriating and transferring funds totaling \$146,789.70, as per the attached spreadsheet.

A motion authorizing settlement of property damage claim with property insurance carrier, Lexington Insurance Company, et al – City Hall water damage claim - \$146,789.70, and amending fiscal year 2008-2009 final operating budget by transferring proceeds and expenses.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0034

Procurement of Property Insurance (M-16)

No budgetary impact.

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

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0019

Excess Worker Compensation Insurance – Additional Premium - (M-17)
\$31,866 – Arch Insurance Company

INS010101/5122/Work Comp Carrier; Fund 543/01. There are sufficient funds to cover the cost of \$31,866.

A motion authorizing payment of excess worker compensation insurance additional premium in the amount of \$31,866 to Arch Insurance Company through Thomas Rutherford, Inc., the City's broker.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0029

Rental Rehabilitation Program Requirement – One-Time (M-18)
Exception – H.O.M.E.S., Inc. – Properties On NE 6 Avenue

Index Code – SH09RRH, SOB 8001 - \$150,000, SOB 8004 - \$10,000, Fund 130, Subfund 01.

A motion approving request of H.O.M.E.S., Inc. for one-time exception to Rental Rehabilitation Program requirement – exceed loan to value ratio and waiver of payment and performance bond for properties on NE 6 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0027

CONSENT RESOLUTION

Amend Operating Budget – Transfer and Appropriation (CR-01)
\$26,544.20 – Forklift Purchase

Appropriate \$26,544.20 from P11246, subobject 6599, Fund 454, Subfund 01, to PBS670304-6499, Fund 450, Subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-1931

RESOLUTION NO. 09-14

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009, BY APPROPRIATING FUNDS IN THE AMOUNT OF \$26,544.20 FROM P11246, SUBOBJECT 6599, FUND 454, SUBFUND 01, TO PBS670304-6499, FUND 450, SUBFUND 01 FOR THE PURCHASE OF ONE FORK LIFT FOR USE AT THE PEELE DIXIE WATER TREATMENT PLANT.

Historic Preservation Grant Extension (CR-02)
New River Swing Span Bridge

Grant funded in P10057.129, Fund 129, Subfund 01, Subobject D341 with \$300,000 cash match budgeted in P10057.332-6599, Fund 332, Subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-1927

RESOLUTION NO. 09-15

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH THE FLORIDA DEPARTMENT OF STATE PROVIDING FOR AN EXTENSION TO THE HISTORIC PRESERVATION GRANT SC529, NEW RIVER SWING SPAN BRIDGE, PROJECT 10057 UNTIL DECEMBER 31, 2008.

**Community Bus Services – Interlocal Agreement
Broward County**

(CR-03)

For the TMA portion, appropriate \$89,935.60 to F209 (Rev. – County Share) and appropriate \$52,844.27 to N968 (Rev. – City Gas Tax Share) and appropriate \$142,779.87 to expenditure in 4204 all in Fund 129, Subfund 01 GSHUTTLE09. For the URC portion, appropriate \$23,760 to Fund 129, Subfund 01, GURC09, F209 (Rev.) and expenditure in 4204 (there is no City match or contribution in the URC agreement). A copy of CAR 08-1249 is attached as Exhibit 1.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0033

RESOLUTION NO. 09-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009, BY APPROPRIATING FUNDS IN THE AMOUNTS OF \$89,935.60, \$52,844.27, \$142,779.87 AND \$23,760.00 FROM VARIOUS ACCOUNTS INCLUDING GAS TAX AND BROWARD COUNTY TRANSIT FUNDS FOR TRANSPORTATION SERVICES AND APPROVING AN EXTENSION OF AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR THE CONTINUATION OF COMMUNITY BUS SERVICES.

**Change Order 3 (Final) – Darcon Group, Corp. - \$99,827.28
Repair Sidewalk Deficiencies**

(CR-04)

Appropriate \$27,467.34 (revenue actual in P11185.331-N965) to P11185.331-N965 Revenue (Budget) and P11185.331-6599 Expenditure (Budget). Also transfer \$90,329.19 from P11236.331-6599, General Capital Projects Holding Account (re: 2009 CIP Sidewalk Renovations) to P11185.331-6599. The appropriations are all in Fund 331, Subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0011

RESOLUTION NO. 09-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009 BY AUTHORIZING CHANGE ORDER 3 WITH DARCON GROUP, CORP. FOR THE ADDITIONAL WORK TO REPAIR SIDEWALK DEFICIENCIES AT VARIOUS LOCATIONS THROUGH THE CITY OF FORT LAUDERDALE AND APPROPRIATING \$27,467.34 OF SIDEWALK REVENUE COLLECTIONS TO THE PROJECT AND APPROVING THE TRANSFER OF FUNDS TO PROVIDE ADDITIONAL FUNDING NEEDED TO FUND THE CHANGE ORDER AND ENGINEERING FEES.

Lincoln Park Environmental Issues
Increase Scope of Work – Troutman Sanders, LLP - \$366,000

(CR-05)

Appropriate \$366,000 from FD409.01, Anticipated Year-End Balance (screen 6450-FD409.01-9901), to P10536.409-6599, Fund 409, Subfund 02.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0003

RESOLUTION NO. 09-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009, BY APPROPRIATING FUNDS IN THE AMOUNT OF \$366,000 TO INCREASE THE SCOPE OF SERVICES FOR THE LAW FIRM OF TROUTMAN SANDERS, LLP AND AMENDING RESOLUTION 08-35 TO INCREASE THE TOTAL AMOUNT OF FEES AUTHORIZED TO BE PAID TO THE LAW FIRM OF TROUTMAN SANDERS, LLP, AS SPECIAL COUNSEL, REPRESENTING THE CITY IN MATTERS RELATED TO LINCOLN PARK ENVIRONMENTAL ISSUES, PROJECT 10536.

Contract Award – Leadex Corporation – Coontie Hatchee Park - (CR-06)
\$322,965

Appropriate \$155,208.57 from Fund 340 Net Available Fund Balance (screen 6400 – Fund 340 – no Subfund, G/L Account 271) to P11016.340-6599 in Fund 340, Subfund 01. Also, \$264,000 is available in P11016.129-6599, Fund 129, Subfund 01.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0041

RESOLUTION NO. 09-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009 BY APPROPRIATING \$155,208.57 FROM FUND 340 GOB CONSTRUCTION BOND FUND TOP11016.340-6599 TO COMPLETE THE FUNDING OF THE CONTRACT.

Amend Operating Budget – Community Appearance Board - (CR-07)
Appropriation

Transfer and increase fund appropriation per attached spreadsheet (Exhibit 1).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1929

RESOLUTION NO. 09-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009 BY APPROPRIATING AND TRANSFERRING THE PREVIOUSLY APPROVED OPERATING BUDGET FOR THE COMMUNITY APPEARANCE BOARD, CURRENTLY BUDGETED WITHIN THE PUBLIC INFORMATION DEPARTMENT, INTO A NEWLY ESTABLISHED BUDGET IN THE PUBLIC WORKS DEPARTMENT AND AMENDING THE PREVIOUSLY APPROVED BUDGET TO ALLOCATE AND APPROPRIATE ANTICIPATED REVENUES.

**Triennial Municipal Primary and General Elections
February 10, 2009 and March 10, 2009**

(CR-08)

\$516,896 is budgeted in Fund 001, Subfund 01, CLK010201, Subobject 3299 Other Services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1821

RESOLUTION NO. 09-21

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CALLING THE REGULAR TRIENNIAL MUNICIPAL PRIMARY ELECTION TO BE HELD ON FEBRUARY 10, 2009, TO NOMINATE OR ELECT QUALIFIED PERSONS FOR THE OFFICES OF MAYOR-COMMISSIONER AND CITY COMMISSIONERS FROM COMMISSION DISTRICTS 1 THROUGH 4, RESPECTIVELY, AND CALLING THE REGULAR TRIENNIAL MUNICIPAL ELECTION TO BE HELD ON MARCH 10, 2009, TO ELECT A MAYOR-COMMISSIONER AND FOUR CITY COMMISSIONERS.

**Amend Operating Budget – Appropriation - \$25,514,081
Pre-Existing Debt and Capital Projects**

(CR-09)

Appropriating and transferring funds totaling \$25,514,081, as per the attached spreadsheet.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0021

RESOLUTION NO. 09-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009, BY APPROPRIATING FUNDS IN THE AMOUNT OF \$25,514,081 TO REFINANCE CERTAIN CITY DEBTS.

**Amend Operating Budget – Appropriation - \$1,975,000
Sistrunk Park Addition – Open Space 88**

(CR-10)

Appropriate \$1,975,000 contribution from Broward County Project P11448.331, revenue Subobject F733, Broward County cultural/recreation grant, in Fund 331,

Fund Type 30, Subfund 01. Appropriate \$1,975,000 expenditure to P11448.331, Subobject 6599 in Fund 331, Fund Type 30, Subfund 01.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1904

RESOLUTION NO.09-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009, BY APPROPRIATING \$1,975,000 CONTRIBUTION FROM BROWARD COUNTY LAND PRESERVATION BOND PROGRAM FOR ACQUISITION OF SISTRUNK PARK ADDITION – OPEN SPACE 88.

Sistrunk Boulevard Streetscape Enhancement Project (CR-11)
Grant – Florida Department of Transportation - \$1,809,749

No budgetary impact.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0042

RESOLUTION NO. 09-24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) IN ORDER TO RECEIVE A GRANT IN THE AMOUNT OF \$1,809,749 TO BE USED FOR THE SISTRUNK BOULEVARD STREETScape ENHANCEMENT PROJECT.

PURCHASING AGENDA

Eight Vehicle Replacements (PUR-01)
Florida Sheriff’s Association Contract and Bid Award 592-10193

\$518,795.00 is budgeted in Fund 583/01, PAR030101, 6416.

Purchase eight vehicle replacements identified in 2008-2009 Fleet Plan and approved in 2008-2009 Fleet Services Capital Budget is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Various Vendors (See Attached)

Amount: \$518,795.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 08-1935

The Procurement Services Department has reviewed this item and recommends approval of purchase from the Florida Sheriff's Association Contract and bid award 592-10193.

492-10187 – Rejection of Bids – Board-Up Services

(PUR-02)

No budgetary impact.

Rejection of all bids for board-up services is being presented for approval by the Building Services Department.

Recommend: Motion to reject..

Bids Solicited/Rec'd: 528/10

Exhibit: Commission Agenda Report 09-0016

The Procurement Services Department has reviewed this item and recommends rejecting all bids submitted and re-bidding.

**693-10139 – New Playground Equipment
Joseph C. Carter Park and Warfield Park**

(PUR-03)

\$82,093 is budgeted in Fund 331, Subfund 01, P11432.331-6599. \$36,849 is budgeted in Fund 331, Subfund 01, P11430.331-6599.

Purchase of playground equipment for Joseph C. Carter and Warfield Parks is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Bliss Products and Services, Inc.
Lithia Springs, GA

Amount: \$118,942.00

Bids Solicited/Rec'd: 360/5

Exhibit: Commission Agenda Report 08-1896

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

Proprietary – Wallace & Tiernan Brand Filter Replacement Parts (PUR-04)

\$30,000 is budgeted in Fund 450, Subfund 01, PBS670302, 3404.

Purchase Wallace & Tiernan filter replacement parts is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Water Treatment & Controls Company
Pensacola, FL

Amount: \$30,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 08-1761

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

493-10189 – Purchase Two Forklifts (PUR-05)

Funding of \$26,544.20 will be available in Fund 450, Subfund 01, PBS670304, 6499, after approval of CAR 08-1931 Fund Transfer. \$26,544.20 is budgeted in Fund 451, Subfund 01, PBS670502, 6499.

Purchase of two forklifts is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: RVL Equipment, Inc.
Opa Locka, FL

Amount: \$53,088.40

Bids Solicited/Rec'd: 177/4

Exhibit: Commission Agenda Report 08-1932

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

Proprietary – Nalco Antiscalant (PUR-06)

\$75,000 is budgeted in Fund 450, Subfund 01, PBS670305, 3799.

Purchase of Nalco PC-1850T Antiscalant is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Nalco Company
Naperville, IL

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

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 08-1874

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

Event Agreement – Superbowl Party – Closing Sunrise Lane (M-02)

Mayor Naugle announced that this item was removed from tonight's agenda.

Change Order 7 – Miguel Lopez, Jr., Inc. - \$16,763.25 (M-12)
Intersection Restoration – Bayview Drive At NE 32 Street
And NE 49 Street

Mayor Naugle announced that this item was removed from tonight's agenda.

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

Motion made by Commissioner Hutchinson and seconded by Commissioner Lewis that Consent Agenda Item M-18 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

Rental Rehabilitation Program Requirement – One-Time (M-18)
Exception – H.O.M.E.S., Inc. – Properties On NE 6 Avenue

Mayor Naugle recalled the last time this organization applied for City participation, it was discovered that a member of their board of directors had received a substantial real estate commission on purchasing property. Normally, organizations have a subdealing prohibition. He wanted to include such a prohibition in the language for this item and future non-profit organization agreements for the board of directors, officers or their relatives so as to prevent them from benefiting from the proceeds of the grant. The City Attorney offered to add such language.

Katherine Barry, representing H.O.M.E.S., Inc., said that 501(c) 3 non-profits are already prohibited from self-dealing. Mayor Naugle recalled that a member of the H.O.M.E.S., Inc. Board of Directors participated in a transaction on 13 Street. Ms. Barry explained

the particulars concerning that transaction. The H.O.M.E.S., Inc. attorney and auditor approved it. It was disclosed.

Mayor Naugle asked if this would be done in the future and Ms. Barry replied no.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to approve the item as amended to provide a prohibition for subdealing and that officers or their relatives shall not benefit from grant proceeds or the organization and future documentation for non-profit organizations shall include this clause. Roll call showed: YEAS: Commissioner Teel, Vice Mayor Rodstrom, Commissioners Lewis and Hutchinson, and Mayor Naugle. NAYS: None.

| |
|------------------------|
| PUBLIC HEARINGS |
|------------------------|

**Historic Designation – Sea Club Resort – Jolly Roger Hotel
619 North Fort Lauderdale Beach Boulevard – Case 26-H-05**

(PH-01)

No budgetary impact.

Owner: Shimon Levy
Applicant: Broward Trust For Historic Preservation
Location: 619 North Fort Lauderdale Beach Boulevard
Zoning: A-1-A Beachfront Area (ABA)

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to defer this item to January 20, 2010. Roll call showed: YEAS: Commissioner Teel, Vice Mayor Rodstrom, Commissioners Lewis and Hutchinson, and Mayor Naugle. NAYS: None.

**Chauffeur and Transportation Certificate of Public
Convenience Application – Elegant Arrivals Limousine, Inc.**

(PH-02)

No budgetary impact.

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

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

ORDINANCES

**Comprehensive Plan Text Amendments – Water Supply
Facilities Work Plan – Case 1-T-08**

(O-01)

No budgetary impact.

Commissioner Hutchinson introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-09-01

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE 2008 FORT LAUDERDALE COMPREHENSIVE PLAN TO AMEND THE TEXT OF THE FUTURE LAND USE, INFRASTRUCTURE, CONSERVATION, INTERGOVERNMENTAL AND CAPITAL IMPROVEMENTS ELEMENTS OF THE COMPREHENSIVE PLAN TO PROVIDE GOALS, OBJECTIVES AND POLICIES RELATED TO THE CITY'S WATER SUPPLY PLAN TO ENSURE POTABLE WATER AVAILABILITY FOR FUTURE USE.

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

**Public School Concurrency
Amendments To Unified Land Development Regulations –
Case 13-T-08**

(O-02)

No budgetary impact.

Commissioner Hutchinson introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-09-04

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-38C, EDUCATION MITIGATION, BY PROVIDING FOR THE IMPLEMENTATION OF PUBLIC SCHOOL CONCURRENCY AND PROPORTIONATE SHARE MITIGATION.

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

Reducing Quorum Requirement – Certain Advisory

(O-03)

Boards and Committees

No budgetary impact.

Commissioner Hutchinson introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-09-05

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REDUCING THE QUORUM REQUIREMENT FOR THE BEACH REDEVELOPMENT, CEMETERIES, EDUCATION ADVISORY, ECONOMIC DEVELOPMENT, INSURANCE, PARKS, RECREATION AND BEACHES AND THE NORTHWEST-PROGRESSO-FLAGLER HEIGHTS REDEVELOPMENT, COMMUNITY APPEARANCE, THE COMMUNITY SERVICES AND THE MARINE ADVISORY BOARDS; AND THE UTILITY ADVISORY, THE FIRE-RESCUE FACILITIES AND THE CENTENNIAL CELEBRATION COMMITTEES.

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

Advisory Board /Committee Appointments

(OB)

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

| | |
|-------------------------------------|---|
| Audit Advisory Board | John J. Zullo |
| Beach Redevelopment Board | Aiton J. Yaari Ramola Motwani Melissa Milroy Jordana L. Jarjura |
| Cemeteries Board of Trustees | Larry M. Ott Alfred C. Calloway Larry W. Sherman Jose Manuel Portela James Mowell |
| Code Enforcement Board | Eugenia Ellis |
| Community Appearance Board | Rick Murphy |
| Economic Development Advisory Board | Susanne T. McCoy |

| | |
|--|--|
| Education Advisory Board | Derek Kelmanson |
| Enterprise Zone Development Agency | Purvin Pujara Frank Adderley, Police Chief or Designee |
| Insurance Advisory Board | Christopher Pretera James E. Drake Charles J. Grimsley Joseph Piechura, Sr. |
| International Swimming Hall of Fame | Vice Mayor Charlotte E. Rodstrom |
| Nuisance Abatement Board | Linda Dawkins, Alternate Pat Mayers Laurie A. Watkins Ted Fling David Svetlick |
| Parks, Recreation & Beaches Advisory Board | Roger Bond |
| Board of Trustees, Police & Firefighters Retirement System | Dennis Hole |
| Unsafe Structures & Housing Appeals Board | John Scherer |
| Utility Advisory Committee | William Goetz |

Commissioner Hutchinson introduced a written resolution entitled:

RESOLUTION NO. 09-13

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

There being no other matters to come before the Commission, the meeting was adjourned at 6:28 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk