

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
FEBRUARY 17, 2009

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
February 17, 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
Commissioner Magdalene E. Lewis
Commissioner Cindi Hutchinson
Mayor Jim Naugle

Absent: None.

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

Invocation was offered by Reverend Pastor Torrey Phillips, Gospel of Christ Church, followed by the recitation of the Pledge of Allegiance.

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

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to approve the minutes of the December 2, 2008 Conference Meeting, January 6, 2009 Regular Meeting, and the agenda for the meeting of February 17, 2009. Roll call showed: YEAS: Vice Mayor Rodstrom, Commissioners Lewis, Hutchinson, and Teel, and Mayor Naugle. NAYS: None.

Presentations

3. 100th Year Anniversary of NAACP – February 12, 2009 (PRES-03)

Commissioner Lewis presented a proclamation, designating February 12, 2009 as the 100th Year Anniversary of the NAACP in the City to Marsha Ellison, President, NAACP Fort Lauderdale Chapter.

1. **Community Appearance Board – WOW Award** (PRES-01)
District III

Commissioner Lewis presented the WOW Award to Mary and Amos Benefield of 1720 NE 26 Terrace.

2. **Friends of South Side** (PRES-02)

John Wilkes, President of Friends of South Side, thanked the Commission for their support and dedication during the development of the South Side School project, and presented each of them with a framed rendering of South Side.

Commissioner Hutchinson thanked Mr. Wilkes for his efforts and thanked the Commission for their support as well. It will be the cornerstone in the city.

4. **Home School Week – February 22-28, 2009** (PRES-04)

Commissioner Teel presented a proclamation to John Kernohan, Broward Christian Homeschoolers, designating February 22-28, 2009 as “Home School Week” in the City.

Mayor Naugle offered City Hall as a civic lesson resource and acknowledged their work.

Mr. Kernohan elaborated upon the rich history of homeschooling in Fort Lauderdale. He thanked the Mayor and Commission for this recognition.

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 – Jerome E. Gray, Esq. Health and Temperance Parade – Closing City Streets Along Route (M-01)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Southeastern Conference Association of Seventh-Day Adventists, Inc. for Jerome E. Gray, Esq., Health and Temperance Parade, to be held February 21, 2009, 3PM – 6 PM, at Joseph C. Carter Park and area streets and closing City streets along route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0024

Event Agreement – Show ‘N’ Shine XXVI (M-02)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with South Florida Gold Coast Volkswagen Club, Inc. for Show “N’ Shine XXVI, to be held at Mills Pond Park on March 29, 2009, 8 AM – 5 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0124

Event Agreement – Rio Vista Camp-Out (M-03)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Rio Vista Civic Association, Inc. for Rio Vista Camp-Out to be held at Virginia Shuman Young Park, 9 AM, February 21, 2009 – 12 Noon, February 22, 2009.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0125

Event Agreement – Walk For The Animals Party Closing SW 2 Avenue (M-04)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement Tarpon Bend Food and Tackle – Riverwalk, Ltd. for Walk For The Animals Party, to be held March 7, 2009, 10 AM – 3 PM and closing SW 2 Avenue from SW 2 Street to alley behind Tarpon Bend.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0126

Event Agreement – Riverwalk Spring Tribute (M-05)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Riverwalk Fort Lauderdale, Inc. for Riverwalk Spring Tribute to be held March 5, 2009, 5:30 PM – 8 PM, on the Riverwalk and River House Restaurant.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0128

Event Agreement - Fort Lauderdale MS Walk (M-06)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with National Multiple Sclerosis Society for Fort Lauderdale MS Walk, to be held at George English Park and beach area sidewalks on March 1, 2009, 7 AM – 2 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0132

Event Agreement – St. Patrick’s Day Celebration (M-07)
Closing Alley Behind Maguire’s Hill 16

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Cillarda, Inc. for St. Patrick’s Day Celebration to be held at Maguire’s Hill 16 – 535 North Andrews Avenue on March 16, 2009, 5 PM – 12 Midnight, and March 17, 2009, 7 AM – 12 Midnight, and closing alley running parallel to Andrews Avenue behind Maguire’s Hill between their property lines.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0136

Event Agreement – Riverwalk Run (M-08)
Closing City Streets Along The Route

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with the Junior League of Greater Fort Lauderdale, Inc. for Riverwalk Run, to be held at Huizenga Plaza on March 21, 2009, 5:30 AM – 10 AM and closing City streets along the route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0137

Event Agreement – Beach Volleyball Series**(M-09)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Exclusive Sports Marketing, Inc. for Beach Volleyball Series, to be held at Fort Lauderdale's South Beach on the following 2009 Saturdays and Sundays: April 4, 5, 25, 26; June 20 and 21; July 25 and 26, and on Sundays, April 5, April 26, June 21, and July 26, 2009, 7AM – 8 PM each day.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0138

**Event Agreement – Corporate Run
Closing City Streets Along Route****(M-10)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Team Footworks Educational and Fitness Corporation for Corporate Run, to be held at Huizenga Plaza on April 2, 2009, 5 PM – 10 PM and closing City streets along route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0139

**Event Agreement – St. Patrick's Day Street Festival
Closing South New River Drive****(M-11)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with It's Only Zeroes, Inc. for St. Patrick's Day Street Festival, to be held at the Downtowner and on South New River Drive on March 17, 2009, 11 AM – 11 PM, and closing South New River Drive.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0156

Event Agreement and Co-Sponsorship – Beach Blast**(M-12)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Apocalypse Evangelism Ministries, Inc. for Beach Blast to be held at Fort Lauderdale's South Beach

on March 28, 2009, 3 PM – 9 PM and event co-sponsorship to allow banners at specified locations, subject to permitting regulations.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0087

Office Space For Office of Professional Standards (M-13)
33 NE 2 Street – Renewal of Lease Agreement – Claridge Homes L.L.C.

Fund 001, Subfund 01, OPS010101-3319, Office Space Rent - \$32,000.

A motion authorizing the proper City Officials to execute a three-year lease with Claridge Homes L.L.C. – office space located at 33 NE 2 Street (Northmark Building) for Office of Professional Standards.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0169

Grant Application – EMS Matching Grant Program – Chest (M-14)
Compression Devices – Florida Department of Health - \$159,890

Cash match in the amount of \$39,792.50 budgeted in Fund 001, Subfund 01, Subobject 9129.

A motion authorizing proper City Officials to submit a grant application in the amount of \$159,890 to Florida Department of Health, Bureau of Emergency Medical Services – 2009 EMS Matching Grant Program – 25% cash match of \$39,972.50 – automated chest compression devices.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0153

Agreement – School Board of Broward County (M-15)
Use of School Buses For City Recreational Programs and Events

\$10,000 is budgeted in PKR033201, subject 3299, Fund 001, Subfund 01.

A motion authorizing the proper City Officials to execute an agreement with the School Board of Broward County for use of school buses for City recreational programs and events – May 17, 2009 through May 16, 2010.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0127

Grant Application – Cypress Creek Sand Pine Preserve - (M-16)
\$200,000 – Florida Department of Environmental Protection

No current year budget impact. Match, in the amount of \$200,000 is available in the existing CIP project P11056.

A motion authorizing the proper City Officials to apply for 2008-2009 grant funding in the amount of \$200,000 from the Florida Department of Environmental Protection – development of Cypress Creek Sand Pine Preserve – Land and Water Conservation Fund.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-133

Amendment 2 – Task Order 49 – Camp Dresser & McKee, (M-17)
Inc. - \$23,720 – Wastewater Transmission System Improvements

Appropriate \$27,000 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P11119.482-6599.

A motion authorizing the proper City Officials to: (1) execute Amendment 2 to Task Order 49 with Camp Dresser & McKee, Inc., in the amount of \$23,720 for additional engineering services associated with re-bid and permitting assistance – Wastewater Transmission System Improvements – Project 11119; and (2) appropriate \$27,000 to fund this task order.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1860

Amendment 4 – Work Authorization 16724.84 – Keith and Schnars, (M-18)
P.A. - \$22,472.50 – Sistrunk Boulevard Water Main Replacement

A CRA item (Memo 09-023) is being presented to the CRQA Board for authorization to transfer \$22,472.50 from P10448.320 to P10830.320-6599 both in Fund 320, Subfund 01.

A motion authorizing the proper City Officials to execute Amendment 4 to Work Authorization 16724.84 with Keith and Schnars, P.A. in the amount of \$22,472.50 – additional engineering services associated with Sistrunk Boulevard Water Main Replacement – Project 10830 – contingent upon Community Redevelopment Agency Board approval of funds transfer.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0057

**Change Order 3 – Poole and Kent Company of Florida - (M-19)
\$233,044.95 – Wastewater Repump Stations A, B, and E
Rehabilitation – Add 57 Days**

Transfer \$262,000 from P00401-6599, Regional Replacement/Recap to P10537.451-6599, both in Fund 451, Subfund 01; EP03137.

A motion authorizing: (1) Change Order 3 with Poole and Kent Company of Florida in the amount of \$233,044.95, and the addition of 57 non-compensable calendar days to contract period – additional work – Wastewater Repump Stations A, B and E Rehabilitation – Project 10537; and (2) transfer \$262,000 to fund this change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0048

**Change Order 9 – Widell Associates Inc., F/K/A (M-20)
Widell, Inc. - \$100,756 – Lohmeyer Wastewater
Treatment Plant Improvements**

Transfer \$113,000.00 from P00401-6599, Regional Replacement/Recapitalization to P10541.451-6599, all in Fund 451, Subfund 02, EP02728.

A motion authorizing: (1) Change Order 9 with Widell Associates, Inc., f/k/a Widell, Inc., in the amount of \$100,756 – additional work – Lohmeyer Wastewater Treatment Plant improvements – flow control, biosolids, chlorine and architectural rehabilitation – Project 10541B, and (2) transfer \$113,000 to fund this change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0110

**Change Order 2 (Final) – Man-Con, Incorporated - Credit (M-21)
(\$1,409,544.91) – Sanitary Sewer and Water Main
Improvements – Edgewood Basin F**

Decrease encumbrance in Fund 482, Subfund 01, P10580.482-6599 by (\$1,409,544.91); EPO3288.

A motion authorizing: (1) Change Order 2 (Final) with Man-Con, Incorporated in net CREDIT amount of (\$1,409,544.91) – final quantity reconciliation – Sanitary Sewer and Water Main Improvements – Edgewood Basin F – Project 10580F; and (2) reduce encumbrance by (\$1,409,544.91).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0116

Change Order 5 (Final) – Weekley Asphalt Paving, Inc. (M-22)
Annual Asphaltic Concrete Pavement Surfacing - \$105,181.45

\$123,062.30 is available in P11186.332-6599 Fund 332, Subfund 01 to fund the change order and engineering fees.

A motion authorizing Change Order 5 (Final) with Weekley Asphalt Paving, Inc., in the amount of \$105,181.45 – 2008-2008 Annual Asphaltic Concrete Pavement Surfacing Project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0149

Change Order 3 – MDM Services, Inc. - \$65,400 – Add 305 Days (M-23)
Underground Storage Tank Upgrade

Appropriate \$74,000 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P11118.482-6599; EPO3391.

A motion authorizing: (1) Change Order 3 with MDM Services, Inc., in the amount of \$65,400 and the addition of 305 non-compensable calendar days to contract period – additional work and quantity adjustments – Underground Storage Tank Upgrade – Project 11118; and (2) transfer \$74,000 to fund this change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1790

Task Order 11 – DeRose Design Consultants, Inc. - \$33,318 (M-24)
Fire Station 35 – Structural Engineering Services

Transfer \$33,318 from P10910.336-6599, SE Fire Station 8 Land to P10919.336-6599 all in Fund 336, Subfund 01.

A motion authorizing the proper City Officials to: (1) execute Task Order 11 with DeRose Design Consultants, Inc., in the amount of \$33,318 – Structural Engineering Services – Fire Station 35 – 1841 East Commercial Boulevard – Project 10919; and (2) transfer funds.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0100

Task Order 25 – Chen and Associates Consulting Engineers, Inc. - (M-25)
\$29,941.20 – Fire Station 35 – Civil Engineering Services

Transfer \$29,941.20 from P10910.336-6599, SE Fire Station 8 Land to P10919.336-6599 all in Fund 336, Subfund 01.

A motion authorizing: (1) proper City Officials to execute Task Order 25 with Chen and Associates Consulting Engineers, Inc., in the amount of \$29,941.20 – Civil Engineering Services – Fire Station 35 – 1841 East Commercial Boulevard – Project 10919; and (2) transfer funds.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0102

Task Order 8 – DeRose Design Consultants, Inc. - \$42,974 (M-26)
Fire Station 35 – Mechanical and Electrical Engineering Services

Transfer \$42,974 from P10910.336-6599, SE Fire Station 8 Land to P10919.336-6599 all in Fund 336, Subfund 01.

A motion authorizing: (1) proper City Officials to execute Task Order 8 with DeRose Design Consultants, Inc., in the amount of \$42,974 – Mechanical and Electrical Engineering Services – Fire Station 35 – 1841 East Commercial Boulevard – Project 10919; and (2) transfer funds.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0103

Task Order 40 – CH2M Hill, Inc. - \$138,125 (M-27)
Water and Wastewater Utility Revenue Bond Feasibility Report

Transfer \$138,125 from P11197.454; Water and Sewer Fund Recap to P10365.454-6599, both in Fund 454, Subfund 01.

A motion authorizing the proper City Officials to: (1) execute Task Order 40 with CH2M Hill, Inc., in the amount of \$138,125 – Water and Wastewater Utility Revenue Bond Feasibility Report – Project 10365; and (2) transfer \$138,125 to fund this task order.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0112

Contract Award – Gates Builders, Inc. – Fire Station 49 - (M-28)
\$2,533,700

Transfer \$1,150,000 from P10909.336, SE Fire Station 8, and transfer \$387,070 from P10911.336, Fire Station 46, and transfer \$1,250,000 from P10910.336, SE Fire Station 8 Land to P10912.336, all in Fund 336, Subfund 01, Subobject 6599 to fund the contract and contingencies.

A motion authorizing the proper City Officials to: (1) award and execute contract with Gates Builders, Inc., in the amount of \$2,533,700 – Fire Station 49 – 1015 Seabreeze Boulevard – Project 10912; and (2) transfer funds to complete contract funding and contingencies.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0165

General Engineering Aviation Consultant Services - (M-29)
Continuing Contract – Kimley-Horn and Associates, Inc.

No budgetary impact.

A motion accepting the Consultants' Competitive Negotiations Act Selection Committee's recommendation of ranking firms for general engineering aviation services – continuing contract and authorizing proper City Officials to commence negotiations with highest-ranked proposer – Kimley-Horn and Associates, Inc.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0101

Procurement of Airport Liability Insurance (M-30)

No budgetary impact.

A motion authorizing the procurement of airport liability insurance through negotiation method.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0031

Settlement of Vehicle Accident General Liability File (M-31)
VA GL 05-660 - \$47,500

Funds are budgeted in INS010101/5104 (Automobile Liability Claims), Fund 543/01. There are sufficient funds to cover the amount of \$47,500.

A motion authorizing settlement of vehicle accident general liability file VA GL 05-660 (Kathleen Dellafera) - \$47,500.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0142

Disbursement of Funds/Joint Investigation/O.R. 08-67614 (M-32)
Law Enforcement Trust Fund

\$9,801.27 is available in Fund 107 (DEA Confiscated property) in account GL 219-08-67614 (Deposits Trust).

A motion authorizing the equitable disbursement of \$9,801.27 with each of eleven participating law enforcement agencies to receive \$753.94 and Sunrise and Fort Lauderdale Police Departments to receive an additional share for a total sum of \$1,507.88 due to additional assigned agents.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0022

CONSENT RESOLUTION

Performing Arts Center Authority Budget (CR-01)
Fiscal Year 2008-2009

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0160

RESOLUTION NO. 09-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE BUDGET OF THE PERFORMING ARTS CENTER AUTHORITY FOR FISCAL YEAR 2008/2009.

**Executive Airport – Blast Fence and Project Description
Amendment – Joint Participation Agreement – Florida
Department of Transportation**

(CR-02)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0121

RESOLUTION NO. 09-42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (FDOT), AMENDING THE PROJECT DESCRIPTION TO INCLUDE "AIRFIELD TURF IMPROVEMENTS" TO CITY PROJECT NUMBER 10804, AT THE FORT LAUDERDALE EXECUTIVE AIRPORT (FINANCIAL PROJECT NO.: 416279-1-94-01).

**Donation Acceptance From Rock-French Quarter
LLC – Two Medjool Date Palm Trees**

(CR-03)

Appropriate \$10,000 in tree donations revenue to PKR060301, Subobject N451, other contributions, Fund Type 01, Fund 001, Subfund 01. Appropriate \$10,000 in tree donations expenditures to PKR060301, Subobject 3913 Horticultural Supplies, Fund Type 01, Fund 001, Subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-1789

RESOLUTION NO. 09-43

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 \$10,000.00 IN CONNECTION WITH THE DONATION OF TWO MEDJOOOL DATE PALM TREES TO THE CITY; APPROVING AN AGREEMENT TO REMOVE THE TREES AND AUTHORIZING EXPENDITURE OF FUNDS FOR COSTS ASSOCIATED WITH THE RELOCATION.

Grant Acceptance – Bill Keith Preserve - \$51,167
Land Stewardship Program – Parks For People

(CR-04)

Appropriate \$51,167 of grant revenue funds to Fund Type 10, Fund 409, Subfund 01, P11183.409-F733, Broward County Cultural Recreation grant, and \$51,167 expenditures to P11183.409-6599; construction Fund Type 10, Fund 409, Subfund 01. No cash match required at this time.

Recommend: Adopt resolution.
Exhibit: Commission Agenda Report 08-1899

RESOLUTION NO. 09-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$51,167 FROM BROWARD COUNTY THROUGH THE PARKS FOR PEOPLE LAND STEWARDSHIP PROGRAM FOR BILL KEITH PRESERVE, AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009 BY ACCEPTING AND APPROPRIATING SUCH GRANT FUNDS TO FUND 409 AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO RECEIVE SUCH GRANT FUNDS.

Donation To Onikusu Judo Club - \$30,000

(CR-05)

Appropriate \$30,000 from Fund 104, Subfund 01, Undesignated Fund Balance to Fund 104, Subfund 01, POLO50201, Subsubject 4299.

Recommend: Adopt resolution.
Exhibit: Commission Agenda Report 08-1933

RESOLUTION NO. 09-45

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 \$30,000.00 FROM THE LAW ENFORCEMENT TRUST FUND TO SUPPORT THE ONIKUSU JUDO CLUB YOUTH PROGRAM AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS.

**Grant Acceptance – Bulletproof Vest Partnership Grant
U.S. Department of Justice - \$5,928.47**

(CR-06)

Appropriate \$5,928.47 of Grant Funds to Fund 129, Subfund 01, GBVP12, C205 (Rev), and expenditures in 3949. Also, appropriate \$5,928.47 in City matching funds from Fund 001, Subfund 01, Subobject 9129, and expenditures in 3949.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0152

RESOLUTION NO. 09-46

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 ACCEPTING AND APPROPRIATING GRANT FUNDS AWARDED BY THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, IN THE AMOUNT OF \$5,928.47 AND APPROPRIATING MATCHING CITY FUNDS IN THE AMOUNT OF \$5,928.47 FOR BULLET PROOF VESTS AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS.

**Formation of Advisory Group To U.S. Office
Of Urban Policy**

(CR-07)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0172

RESOLUTION NO. 09-47

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, URGING THE PROPOSED OFFICE OF URBAN POLICY IN PRESIDENT OBAMA'S ADMINISTRATION TO FORM A BROAD, DIVERSE AND PERMANENT ADVISORY GROUP TO HELP GUIDE THE OFFICE IN ITS EFFORTS TO PROVIDE ASSISTANCE TO OUR NATION'S URBAN AREAS.

**No Objection To Plat Note Amendment – Sunrise Harbour Plat - (CR-08)
Case 31-P-97A – Increase Residential Units and Eliminate Hotel Use**

No budgetary impacts.

Applicant: Sunrise Harbour Multi-Family, Inc.
Location: North of Sunrise Boulevard and West of Intracoastal Waterway
Zoning: Boulevard Business B-1
Future Land Use: Commercial

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0108

RESOLUTION NO. 09-48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, EXPRESSING NO OBJECTION TO A CHANGE TO A NOTE ON A PLAT KNOWN AS "SUNRISE HARBOUR PLAT."

**Grant Acceptance – Florida Division of Emergency Management - (CR-09)
\$321,211 – Metropolitan Medical Response System Program – Response Capabilities**

Appropriate \$321,211 of Grant Funds to Fund 129, Subfund 01, GMMRS10, C310 (Rev). And expenditures in 3628 (\$2,636), 3922 (\$150,000), 3999 (\$5,750), 4101 (\$10,000), 4104 (\$44,500), 4110 (\$7.250), 4337 (\$12,500), 6499 (\$88,575). No cash match.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0060

RESOLUTION NO. 09-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE FEDERALLY FUNDED SUBGRANT AGREEMENT WITH THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT TO RECEIVE GRANT FUNDS IN THE AMOUNT OF \$321,211 UNDER THE U.S. DEPARTMENT OF HOMELAND SECURITY FISCAL YEAR 2008 METROPOLITAN MEDICAL RESPONSE SYSTEM PROGRAM AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009 BY ACCEPTING AND APPROPRIATING SUCH

GRANTS FUNDS IN THE AMOUNT OF \$321,211 TO FUND
129.

Change Order 1 – West Construction, Inc. - \$62,690.90 (CR-10)
Ann Herman Park

Appropriate \$60,000 from Trust Account 269-450220 Fund Type 01, Fund 001, Subfund 01 (Famis screen 6100) to P11072.331 revenue Subobject N398 and \$60,000 to P11072.331 expenditure Subobject 6599 both in Fund 331, Subfund 01. (Note: The budget amendment appropriation will fund \$52,067.27 of the change order and engineering fees in P11072.331 and the balance of the change order and engineering fees in the amount of \$21,858 will be funded from P11072.129-6599 which has \$21,858 available for the Grant portion of the work.)

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0162

RESOLUTION NO. 09-50

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 \$60,000 FROM TRUST ACCOUNT 269-450220 TO P11072.331 TO FUND A CHANGE ORDER WITH WEST CONSTRUCTION FOR ADDITIONAL SCOPE OF WORK AT ANN HERMAN PARK – PROJECT 11072.

Fiscal Year 2007-2008 Budget Amendment (CR-11)
Firefighters Pension Insurance Premium Tax

Appropriate and allocate \$1,065,082 to FIR030101/A501, Firefighters Pension Insurance Premium Tax and \$1,065,082 to FIR030101/4299, Other Contributions. Appropriate and allocate funds in the General Fund as shown in Exhibit 1.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0179

RESOLUTION NO. 09-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008 BY

APPROPRIATING FUNDS IN THE AMOUNT OF \$1,065,082 TO FUND 01 AND TRANSFERRING \$1,065,082 FROM FIR030101/A501, FIREFIGHTERS PENSION INSURANCE PREMIUM TAX TO FIR030101/4299, OTHER CONTRIBUTIONS.

PURCHASING AGENDA

**692-10165 – Roll-Off Dumpster Services -
Contract Effective Date Correction**

(PUR-01)

No budgetary impact.

A contract effective date correction for roll-off dumpster services is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Waste Management Inc. of Florida
Houston, TX

Amount: Per Unit Prices

Bids Solicited/Rec'd: 415/9

Exhibit: Commission Agenda Report 09-0098

The Procurement Services Department has reviewed this item and recommends correction of the scribner's error.

**673-9733 – Environmental Engineering Services
Water Damage Remediation – Central Maintenance Shop –
4250 NW 10 Avenue**

(PUR-02)

\$28,413.10 is budgeted in Fund 125, Subfund 01, Subobject 6599 – Construction, Project P16051.

Purchase environmental engineering services – detailed mold assessment, contractor oversight and post air sampling – water damage remediation project at Central Maintenance Shop is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: EE&G Environmental Services, LLC
Miami Lakes, FL

Amount: \$28,413.10

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 09-0114

The Procurement Services Department has reviewed this item and recommends approval of the additional services.

692-10175 – Solid Waste Dumpster and Cart Service**(PUR-03)**

\$341,944 is available in Subobject 3255 Solid Waste Disposal by respective Department, Division, and Index Code per the attached spreadsheet as Exhibit 2.

Three-year contract for dumpster and roll-out cart solid waste – garbage service is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Republic Services of Florida, Limited Partnership
d/b/a All Service Refuse
Fort Lauderdale, FL

Amount: \$341,944.00

Bids Solicited/Rec'd: 1046/6

Exhibit: Commission Agenda Report 09-0118

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

785-10159 – Consulting Services**(PUR-04)****Riverwalk District Arts and Entertainment
Public Realm Master Plan**

\$345,875.46 is budgeted in Fund 001, Subfund 01, PLN010101, 3199.

Purchase planning consultant services for Riverwalk District Arts and Entertainment Public Realm Master Plan is being presented for approval by the Planning and Zoning Department.

Recommend: Motion to approve.

Vendor: Beyer Blinder Belle, Architects and Planners, LLP
New York, NY

Amount: \$345,875.46 (not-to-exceed)

Bids Solicited/Rec'd: 346/10

Exhibit: Commission Agenda Report 09-0150

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

**592-10192 – Rejection of Bids – Beach Patrol
All Terrain Vehicles****(PUR-05)**

No budgetary impact.

Rejection of all bids for three beach patrol all terrain vehicles is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to reject.

Bids Solicited/Rec'd: 305/3
Exhibit: Commission Agenda Report 09-0065

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

Proprietary – Certified Tennis Officials (PUR-06)
2009 United States Tennis Association Tournaments –
Jimmy Evert Tennis Center

\$11,100 is budgeted in Fund Type 01, Fund 001, Subfund 01, PKR011001-3246 tennis programs, recreation programming.

Contract for professional United States Tennis Association certified tennis officials for tournaments is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Association of Tennis Officials Corp.
 Delray Beach, FL
Amount: \$11,100.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 09-0030

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

Change Order 3 – Poole and Kent Company of Florida - (M-19)
\$233,044.95 – Wastewater Repump Stations A, B, and E
Rehabilitation – Add 57 Days

Mayor Naugle announced a correction, that if approved, the Funds Appropriation section would increase to \$271,000.

Performing Arts Center Authority Budget (CR-01)
Fiscal Year 2008-2009

Mayor Naugle announced that this item has been removed from the agenda by the City Auditor.

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

Motion made by Commissioner Hutchinson and seconded by Vice Mayor Rodstrom that Consent Agenda Items M-28 and PUR-04 be deleted from the consent agenda and

considered separately, and that all remaining consent agenda items be approved as recommended.

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

The City Clerk announced that in regard to an advertisement for the Commission to consider non-ad valorem assessments on properties in the downtown and South Regional Activity Centers was removed from tonight's agenda.

Contract Award – Gates Builders, Inc. – Fire Station 49 - (M-28)
\$2,533,700

Mayor Naugle pointed out that the engineer's pre-bid estimate was \$3.7 million, but the bid being accepted is \$2.7 million.

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

785-10159 – Consulting Services – Riverwalk District Arts and (PUR-04)
Entertainment Public Realm Master Plan

Vice Mayor Rodstrom pointed out that the City's financial situation has changed since the idea of having this plan completed. She was concerned about the price and that this is the highest bidder. She referred to information from the City Auditor that noted this could represent several employee salaries. She raised the idea of deferring for a year or two.

Mayor Naugle opened the floor for public comment.

Patsy Mennuti, President of Riverwalk Trust, supported moving forward with this plan. The plan is about the relevance of Fort Lauderdale in a county of suburban cities and destinations all vying for a piece of the tourist and resident dollar. If the City does not continue its quest to remain the downtown of Broward County, the market share will fragment across the county. The Riverwalk was envisioned by the City to be a complimentary bookend for the beach. While the Riverwalk is beautiful, it is empty. She elaborated upon that impact. The Trust recently earmarked a chunk of money to get a jumpstart on activation efforts in advance of this plan. They would like to partner with the City. Without the City, it will be a pretty place with not much going on. An operational, management and programming plan is needed to foster the district as a continuously active, self-sustaining destination. Neither the City nor the Trust would be obligated to keep the vibrancy going.

Kirk Buffington, Director of Procurement Services, indicated from a procurement perspective, Beyer Blinder Belle is the most expensive when looking at the total fee but their hourly fee is very reasonable. They are proposing more hours. He believed they understand the true nature of what is needed. From a ranking perspective, Beyer

Blinder Belle was clearly first, given their experience in doing the City's downtown master plan and other City projects.

Greg Brewton, Director of Planning and Zoning, noted this is a directive of the Commission. It is a policy decision as to whether the City should move forward. Staff favors this because a major piece to the entire puzzle of the downtown redevelopment and activating the public spaces, it would be like having the cow eat the grass, but not be able to produce the milk. This is the time to plan in order to be able to implement when the time is right.

Commissioner Hutchinson discussed how long this effort has been underway and emphasized the need for proper planning. The river is the jewel of the city and the downtown. She supported approval of the item this evening. The Riverwalk is not being used as it should be. When development happens again, the City needs to be ready. While appreciated the City Auditor's comments, the Commission makes policy.

The City Auditor indicated he raised a number of questions regarding this project, but not because he doubted its worth or the capabilities of the recommended firm.

Mayor Naugle asked if the Auditor had sent out something. The City Auditor indicated that there are several commissioners who have requested that they be copied on his questions. He originally asked the full Commission if they wished to receive copies and only three responded in the affirmative. Mayor Naugle indicated he did not receive that inquiry. He thought it was standard policy for the full Commission to receive the correspondence; otherwise there could be a sunshine law violation. The Auditor clarified it is not a violation, provided there is no back and forth dialogue. He offered to provide the Mayor with copies and apologized.

The City Auditor explained his concern that the City is facing a revenue budget shortfall of several million dollars. He noted some of the specifics. Eighty percent of the City's total expenditures are committed dollars related to personnel costs. There is very little discretionary money. This is a discretionary item. He felt the City needs to take a hard look at discretionary items in this year in order to manage the shortfalls. He believed he was hired because of what took place several years ago where expenditures were being made without someone advising the Commission that the City could not afford it. This is something that could be deferred without negatively impacting the day to day City operations and services.

Commissioner Teel appreciated the City Auditor's comments and would agree if it was a different area perhaps. However, this is a very important area for revitalization. She believed this is the time to be planning. She supported the item.

Vice Mayor Rodstrom pointed out that this plan does not guarantee that anything would be revitalized. It is a hope and a dream that something good will happen in the future. The reality is that the City might not have that kind of money. It would be difficult for the Commission to say that employees have to be laid off because a plan was approved. It is a great idea, but it is not the right time.

Mayor Naugle asked if partners in the Riverwalk, such as Broward County Performing Arts Center or the Downtown Development Authority, were asked to contribute toward this. This project will need the support of all partners and with financial involvement,

there would be more acceptance. If the City finds itself in dire straits, the plan could sit on the shelf. He offered the idea of tabling this item to April 7, 2009 when the new Commission could approve it and it would have more value to them. Mr. Brewton indicated that it would not cause a problem if the matter was tabled. Mayor Naugle felt the concern is valid.

A **motion** made by Vice Mayor Rodstrom to table this item to April 7, 2009, died for lack of a second.

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

RESOLUTIONS

Site Plan Level IV – Extension of Time – Stay Social Hotel (R-01)
Florida Sunrise Propco, LLC – 917 Sunrise Lane – Case 132-R-06

No budgetary impact.

Applicant: Florida Sunrise Propco, LLC
Location: 917 Sunrise Lane
Zoning: Sunrise Lane District SLA
Future Land Use: Central Beach Regional Activity Center

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 09-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN EXTENSION OF THE EXPIRATION DATE OF A DEVELOPMENT PLAN APPROVING THE RENOVATION OF AN EXISTING HOTEL ON PROPERTY LOCATED AT 999 NORTH FORT LAUDERDALE BEACH BOULEVARD IN A SLA ZONING DISTRICT, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only.

Commissioner Hutchinson left the meeting at approximately 6:41 p.m.

Vice Mayor Rodstrom asked about the Applicant assisting with the streetscape. Peter Henn, representing the Applicant, indicated a willingness to put forward money and have had discussions with their neighbor on this point. He agreed to work with them and the City before the eighteen months.

Roll call showed: Roll call showed: YEAS: Vice Mayor Rodstrom, Commissioners Lewis and Teel, and Mayor Naugle. NAYS: None. Commissioner Hutchinson was not present.

Site Plan Level IV – Extension of Time – Orion Hotel - (R-02)
Case 46-R-06 – Transacta Prive Developers, Ltd.
700 North Atlantic Boulevard

No budgetary impacts.

Applicant: Transacta Prive Developers, Ltd.
Location: 700 North Atlantic Boulevard
Zoning: A-1-A Beachfront Area ABA
Future Land Use: Central Beach Regional Activity Center

The City Clerk noted the Applicant has requested a deferral to March 3, 2009.

Commissioner Hutchinson returned to the meeting at approximately 6:44 p.m.

Motion made by Commissioner Teel and seconded by Commissioner Hutchinson to defer this item to March 3, 2009. Roll call showed: YEAS: Vice Mayor Rodstrom, Commissioners Lewis, Hutchinson and Teel, and Mayor Naugle. NAYS: None.

Site Plan Level IV – Extension of Time – Sunrise Lane (R-03)
Parking Facility – Florida Sunrise Propco, LLC –
917 Sunrise Lane – Case 94-R-07

No budgetary impacts.

Applicant: Florida Sunrise Propco, LLC.
Location: 917 Sunrise Lane
Zoning: Sunrise Lane District SLA
Future Land Use: Central Beach Regional Activity Center

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 09-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN EXTENSION OF THE EXPIRATION DATE OF A DEVELOPMENT PLAN APPROVING A PARKING, RETAIL AND RESTAURANT FACILITY ON PROPERTY LOCATED AT 917 SUNRISE LANE IN A SLA ZONING DISTRICT, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

**Kennedy Homes Plat – 1004 West Broward Boulevard -
160 Apartments – Housing Authority – Case 21-P-07**

(R-04)

No budgetary impacts.

Applicant: Housing Authority, City of Fort Lauderdale
Location: 1004 West Broward Boulevard
**Zoning: Residential Multi-Family Mid-Rise – Medium High
Density RMM-25**
Future Land Use: Medium High Residential

Greg Brewton, Director of Planning and Zoning, noted the Housing Authority is the property owner, mentioned the location and explained the concept of platting.

Mayor Naugle opened the floor for public comment.

John Atkinson, 921 SW 88 Terrace, said that he owns property directly behind this area. He expressed support in this item. There is nothing architecturally significant. A positive change is needed for these residents.

Arlon Kennedy, Executive Director, Institute for Community Empowerment, indicated the Institute is a community based organization involved with housing and other development issues in the area. He concurred that a positive is needed for these residents. The property and ability to develop housing of this type is non-existent anywhere else in the city. He expressed support in new development and approval of this item.

Wilbert Ponder, 183 SW 9 Terrace, said he is speaking on behalf of the people of Kennedy Estates. He discussed the poor condition of these residences. This community is at the City's gateway. He expressed support in new development and approval of this item.

Vernal Freelove, 957 SW 2 Street, agreed with Mr. Ponder concerning the condition of these residences. He expressed support in new development and approval of this item.

Marcell Haywood said he is also a resident of this area. This is a wonderful opportunity to instigate change and provide a better standard of living. He expressed support in new development and approval of this item.

Alysa Plummer, 1123 West Las Olas, said she is a resident of Sailboat Bend and Chair of the Historic Preservation Committee for Sailboat Bend. She agreed about the quality of life issues in these residences. The general civic association and the board of directors respect the Kennedy Homes as a historical site in Sailboat Bend. They support improving the quality of life, but would like to save the historical site, rehabilitating the existing structures and possibly adding some structures. This site is eligible for the National Register of Historic Places. They are willing to work with the City and Housing Authority to arrive at an acceptable rehabilitation plan. She urged thinking outside the box and commented that the National Trust for Historic Preservation has indicated that the greenest buildings are the ones already built.

There were no additional comments from the public.

Stephen Tilbrook, representing the Applicant, indicated all representatives of the Applicant are available for questions. He noted the Planning and Zoning Board's approval. introduced the team present with him at tonight's meeting, and said that they recommend approval of this item.

Vice Mayor Rodstrom asked if there was space for anything but the demolition and 160 garden apartments based on the plat restriction. Greg Brewton, Director of Planning and Zoning, advised that the restriction in terms of what could be built on the site was self-imposed by the Applicant. In regard to what buildings may or may not be saved and what portion of the property might be used to accomplish the site plan, would be another process. The demolition is also another process. .

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 09-40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT KNOWN AS "DR. KENNEDY HOMES."

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

PUBLIC HEARINGS

**Rezoning To Heavy Commercial – Light Industrial Business -
Case 18-Z-08 – WPW Storage of Miami, Inc. –
1100 West Sunrise Boulevard**

(PH-01)

No budgetary impacts.

**Applicant: WPW Storage of Miami, Inc.
Location: 1100 West Sunrise Boulevard
Current Zoning: Boulevard Business B-1
Proposed Zoning: Heavy Commercial – Light Industrial Business B-3
Future Land Use: Northwest Regional Activity Center**

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

Commissioner Hutchinson introduced the following ordinance on FIRST reading.

ORDINANCE NO. C-09-08

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM B-1

TO B-3, THAT PORTION OF LOTS 43 AND 44, BLOCK 197, "PROGRESSO," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING BELOW ELEVATION 24.5 FEET ABOVE THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, BOUNDED ON THE SOUTH BY THE SOUTH LINE OF SAID LOT 43, ON THE EAST AND WEST BY THE WALLS OF AN EXISTING TILT-WALL BUILDING AND ON THE NORTH BY A LINE PARALLEL WITH AND 50 FEET SOUTH OF THE NORTH FACE OF SAID BUILDING; AND THAT PORTION OF SAID BUILDING LOCATED ON PORTIONS OF LOTS 3, 4, 5, 6, 43, 44, 45 AND 46 OF SAID BLOCK 197, AND LYING ABOVE ELEVATION 24.5 AND BELOW ELEVATION 37.0 ABOVE THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, LOCATED AT 1100 WEST SUNRISE BOULEVARD, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

Vacate Alley – North of SW 33 Avenue Between Andrews Avenue & FEC Rail Line – AG Realty Fort Lauderdale – Case 8-P-08 (PH-02)

No budgetary impacts.

Applicant: AG Realty Fort Lauderdale
Zoning: Heavy Commercial – Light Industrial Business B-3
Location: North of SW 33 Street Between South Andrews Avenue And FEC Rail Line

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

Commissioner Hutchinson introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-09-06

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL THAT PORTION OF THE 16 FOOT ALLEY IN BLOCK "D-1," "DIXIE CUT-OFF SECTION CROISSANT PARK," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 6, PAGE 5, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING SOUTH OF A LINE PARALLEL WITH AND 10 FEET SOUTH OF THE SOUTH

LINE OF LOT 4 OF SAID BLOCK "D-1," LOCATED BETWEEN SOUTH ANDREWS AVENUE AND THE F.E.C. RAILROAD, NORTH OF SOUTHWEST 33RD STREET AND SOUTH OF THE EXTENSION OF SOUTHWEST 32ND COURT, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

Dock Waiver Application – Distance Limitations
William E. Brantmeyer – 852 NE 20 Avenue

(PH-03)

No budgetary impact.

Applicant: William E. Brantmeyer
Location: 852 NE 20 Avenue

Motion made by Commissioner Hutchinson and seconded by Vice Mayor Rodstrom to defer this matter until March 3, 2009 (at request of City Manager). Roll call showed: YEAS: Vice Mayor Rodstrom, Commissioners Lewis, Hutchinson and Teel, and Mayor Naugle. NAYS: None.

ORDINANCES

Rezoning To Planned Unit Development - Escape -
2900 Riomar Street – Cases 1-ZPUD-08 and 1-H-08

(O-01)

No budgetary impact.

Applicant: RMS Properties IV, LLC
Location: 2099 Riomar Street
Current Zoning: North Beach Residential Area NBRA
Proposed Zoning: Planned Unit Development PUD
Future Land Use: Central Beach Regional Activity Center CBRAC

Commissioner Hutchinson introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-09-07

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM NBRA TO PLANNED UNIT DEVELOPMENT ("PUD"), INCLUDING APPROVAL OF A DEVELOPMENT PLAN KNOWN AS THE ESCAPE (TIFFANY HOUSE) AND ESTABLISHING THE DEVELOPMENT STANDARDS FOR THE PROPERTY

INCLUDING, BUT NOT LIMITED TO, USES, HEIGHT, YARD, SETBACK, PARKING, OPEN SPACE AND LANDSCAPING, LOTS 1, 2, 3 AND 4, BLOCK 8, "BIRCH OCEAN FRONT SUBDIVISION," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 19, PAGE 26; TOGETHER WITH LOTS 15, 16 AND 17 "BIRCH ESTATES," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 23, PAGE 24, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED SOUTH OF RIOMAR STREET AND WEST OF BIRCH ROAD AND BOUNDED ALONG THE SOUTH AND WEST SIDES BY BAYSHORE DRIVE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

Advisory Board /Committee Appointments

(OB)

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

Cemetery System Board of Trustees	Susan Telli
	Vicki Mowrey
Citizens Police Review Board	George P. Trodella
Community Appearance Board	Charles "Chip" Burpee
	Barbara A. Van Voast
Unsafe Structures and Housing Appeals Board	Michael Weymouth

Commissioner Hutchinson introduced a written resolution entitled:

RESOLUTION NO. 09-41

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

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

785-10159 – Consulting Services – Riverwalk District Arts and Entertainment Public Realm Master Plan

(PUR-04)

Understanding that there might be an opportunity for the new Commission to decide what to do, Commissioner Hutchinson hoped a commissioner from the prevailing side would bring this matter forward for reconsideration to defer it to April 7, 2009.

Motion made by Commissioner Lewis and seconded by Vice Mayor Rodstrom to reconsider item PUR-04. Roll call showed: YEAS: Vice Mayor Rodstrom, Commissioners Lewis, Hutchinson and Teel, and Mayor Naugle. NAYS: None.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to defer this matter to April 7, 2009.

Mayor Naugle supported this item, but the next Commission might not support the expenditure. It would be better to get the new Commission's buy-in. If it was approved this evening and they do not expend funds on the recommendations, nothing is really accomplished.

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

There being no other matters to come before the Commission, the meeting was adjourned at 7:06 P.M.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk