

**FORT LAUDERDALE CITY COMMISSION REGULAR MEETING**  
**MARCH 3, 2009**

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**MINUTES OF A REGULAR MEETING  
CITY COMMISSION  
FORT LAUDERDALE  
March 3, 2009**

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

Roll call showed:

Present: Commissioner Christine Teel (arrived momentarily)  
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. Jeff Brull

Invocation was offered by Reverend Durell Watkins, Sunshine Cathedral, followed by the recitation of the pledge of allegiance led by Popsie Thompson's Rainbow Crusaders.

**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 16, 2008 Conference Meeting, January 21, 2009 Regular Meeting, and the agenda for the meeting of March 3, 2009. Roll call showed: YEAS: Commissioners Lewis, Hutchinson, and Teel, Vice Mayor Rodstrom, and Mayor Naugle. NAYS: None.

**Presentations**

**1. Rainbow Crusaders Day – March 3, 2009 (PRES-01)**

An alumni of the Popsie Thompson's Rainbow Crusaders, first sang the Star Spangled Banner. Than, after their performance, Commissioner Hutchinson presented a proclamation designating March 3, 2009 as "Rainbow Crusaders Day" to Popsie Thompson.

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**2. Cystic Fibrosis Awareness Day - (PRES-02)**  
**April 18, 2009**

Vice Mayor Rodstrom presented a proclamation designating April 18, 2009 as "Cystic Fibrosis Awareness Day" to Fran Klauber who provided history on the Cystic Fibrosis Foundation and urged everyone to participate in the Great Strides Walk on April 18, 2009.

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**3. Acceptance of \$18,360 From South Florida Water (PRES-03)**  
**Management District – Water Savings Incentive Program**

Commissioner Teel accepted a check in the amount of \$18,360 from Elbert Waters, Director of Broward Service Center, South Florida Water Management District, for the Water Savings Incentive Program. Phil Thornburg, Parks and Recreation Director, expressed his appreciation, and said that this is a grant that would help reduce water consumption from irrigation throughout the city.

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**4. Problem Gambling Awareness Week (PRES-04)**  
**March 1-7, 2009**

Commissioner Lewis presented a proclamation designating March 1-7, 2009 as "Problem Gambling Awareness Week" to Dr. Joel Kaufmann, Executive Director and Vice President of the United Way and Commissioner of Substance Abuse. Dr. Kaufmann thanked the Commission for bringing attention to this problem.

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**5. Outstanding City Employees (PRES-05)**

Stephen McInerney, Fire Rescue Operations Chief recognized Lieutenant/PM Jason Morss; Driver-Engineer/PM Keith Garner; Firefighter/PM Javier Perez; Firefighter/PM Dustin D. Miller; Firefighter/PM Dustin J. Royer and Lieutenant/PM Melanie A. Snowwhite for their efforts in aiding a patient who had significant airway obstruction. Their response provided a team effort and treatment that saved a life.

Chief McInerney also recognized Lieutentant Rodney Peeler; Driver-Engineer, Kenneth Gurdak; Firefighter Jeffrey Kuras; Firefighter Carl Maglietta; and Firefighter Javier Perez for their efforts in regard to a reported pediatric drowning. Their quick response and expert treatment saved the life of a one-year-old baby girl.

James Eddy, Fire Rescue Chief, announced that new emergency medical services (EMS) protocols will be launched within the next month and a half. He elaborated upon the benefits of these protocols and that the project's success is primarily due to the commitment and dedication of the men and women of Fort Lauderdale's Fire Rescue Department. The project was a partnership with the Broward Sheriff's Office Fire Rescue Department. It will be a model for other agencies. The following employees were recognized for their contribution to this project:

Dr. Nabil ElSanadi, Medical Director  
Firefighter/Paramedic John Helser  
Battalion Chief Doug Stanley  
Captain Daniel Oatmeyer  
Captain Jo-Ann Lorber  
Lt./Paramedic Steve Shaw  
Firefighter/Paramedic Karen Niosi  
Lt./Paramedic Craig Humphrey  
Captain William Medlin  
Battalion Chief/Paramedic Tim Helser  
Lt. Giovannetti Serrano, Ocean Rescue  
Suzanne LeBlanc, Information Technology  
Sherri Adams, Information Technology

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**Presentation to Mayor Naugle****(OB)**

Laronda Ware thanked Mayor Naugle for his help throughout the years to the residents of Dorsey-Riverbend.

Ms. Frankie Lee Adderley also thanked Mayor Naugle for his patience and hard work over the years and for a job well done.

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**Expression of Sympathy****(OB)**

The Mayor and City Commission expressed their sympathy to the families of Elizabeth Hays, Andrew DeGraffenreidt and Bob Gill.

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**Presentation to Commissioner Hutchinson****(OB)**

Residents of Edgewood thanked Commissioner Hutchinson for cleaning the beaches, always being available to the neighborhoods and all her hard work and efforts over the years.

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**Consent Agenda****(CA)**

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

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

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**Event Agreement – Art and Jazz in Victoria Park****(M-01)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Victoria Park Civic Association, Inc. for Art and Jazz in Victoria Park to be held March 22, 2009, 12 Noon – 4 PM at Victoria Park.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0201

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**Event Agreement – Las Olas Wine and Food Festival  
Closing East Las Olas Boulevard****(M-02)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with American Lung Association of the Southeast, Inc. for Las Olas Wine and Food Festival to be held May 2, 2009, 5:30 PM – 10 PM and closing East Las Olas Boulevard.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0206

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**Event Agreement – Our Lady Queen of Martyrs Spring Carnival  
Closing SW 11 Court (Happy Hoyer Street)****(M-03)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Our Lady Queen of Martyrs Church, a parish of the Archdiocese of Miami, Inc., for Spring Carnival, to be held March 19-22, 2009, on church grounds at 2731 SW 11 Court (Happy Hoyer Street) and closing SW 11 Court from 9 AM, March 16, 2009 to 5PM, March 23, 2009.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0130

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**Event Agreement – New Times 12<sup>th</sup> Annual BeerFest  
Closing SW 2 Street and SW 4 Avenue****(M-04)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with New Times BPB, LLC for New Times 12<sup>th</sup> Annual BeerFest to be held April 18, 2009, 7 PM – 11 PM at Esplanade and closing SW 2 Street and SW 4 Avenue.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0131

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**Event Agreement – Take Steps For Crohn’s and Colitis** (M-05)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Crohn’s & Colitis Foundation of America, Inc. for Take Steps for Crohn’s and Colitis to be held March 28, 2009, 6 PM – 9 PM, at Huizenga Plaza and downtown sidewalks.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0202

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**Event Agreement - Pridefest 2009** (M-06)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Pride One of Broward County, Inc. for Pridefest 2009 to be held March 21 and 22, 2009, 12 Noon – 7 PM at War Memorial Auditorium and Holiday Park, contingent upon the City Attorney’s Office receiving and approving executed agreement.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0204

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**Event Agreement – Pineapple Jam At Stranahan** (M-07)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Stranahan House, Inc. for Pineapple Jam at Stranahan to be held April 18, 2009, 6:30 PM – 11 PM, at Laura Ward Plaza next to Stranahan House.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0205

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**Event Agreement – Clueless On Las Olas  
Closing SE 9 Avenue** (M-08)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Partners in Education, Inc. for Clueless on Las Olas to be held April 16, 2009, 5:30 PM – 9:30 PM and closing SE 9 Avenue.



**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0208

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**Event Agreement – St. Patrick’s Day Street Party (M-09)**  
**Closing SW 2 Street and SW 2 Avenue**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Old Town at Riverwalk Merchants Association, Inc. for St. Patrick’s Day Street Party to be held March 17, 2009, 2 PM – 12 Midnight, and closing SW 2 Street and SW 2 Avenue, contingent upon the City Attorney’s Office receiving and approving executed agreement.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0210

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**Event Agreement – Middle River Terrace (M-10)**  
**Resident Appreciation**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Middle River Terrace Neighborhood Association, Inc. for Middle River Terrace Resident Appreciation to be held March 28, 2009, 10 AM – 3 PM, at Middle River Terrace Park.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0214

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**Event Agreement – Great Strides (M-11)**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with the Cystic Fibrosis Foundation for Great Strides to be held April 18, 2009, 6 AM – 12 Noon at Birch State Park.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0207

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**Lease Agreement – Retail Space At City Park Mall (M-12)**  
**Paul James Salon Inc.**

**No budgetary impact.**

A motion authorizing the proper City Officials to execute a new 5-year lease agreement with Paul James Salon, Inc. – City Park Mall – Shop 132.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0232

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**U.S. Army Reserve – Law Enforcement Employer Partnership – Memorandum of Agreement (M-13)**

**No budgetary impact.**

A motion authorizing the proper City Officials to execute a memorandum of agreement with the United States Army Reserve – joint recruit and train law enforcement personnel for Fort Lauderdale Police Department and U.S. Army Reserve.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0119

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**Funds Transfer – Purchase Motorola Public Safety Radios and Accessories (M-14)**

**Transfer \$1,478,000 from P11236.331, General Fund Holding Account to P11207.331 all in Fund 331 Subfund 01, Subobject 6599. The transfer moves the entire 2009 CIP authorized funding for this project (page 72 in the Operating Budget document on the City’s web site) from the Holding Account into the authorized project.**

A motion authorizing transfer of \$1,478,000 to fund purchase of public safety handheld radios and accessories.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0189

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**Settlement of Police Liability File – PP L 04-864 - \$39,500 (M-15)**

**Funds are budgeted in Fund 543/01, INS010101/5119 (Police Liability Claims). There are sufficient funds to cover the amount of \$39,500.**

A motion authorizing settlement of Police Liability File PP L 04-864 (Cara Jennings, et al) - \$39,500.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0192

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**Transfer and Appropriation – Front Porch Initiative - \$10,000** (M-16)

**Appropriate \$10,000 from FD001/9950 Contingencies to GEN010101/4299 Other Contributions, Fund Type 01, Fund 001, Subfund 01.**

A motion authorizing transfer and appropriation of \$10,000 from General Fund contingencies for Front Porch initiative.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0252

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**Hortt Park – Open Space 18 – First Amendment To Contract - Extension of Inspection Period** (M-17)

**No budgetary impact.**

A motion authorizing the proper City Officials to execute first amendment to contract for acquisition of Open Space Site 18 – Hortt Park – extending inspection period forty-five days.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0244

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**Fitness and Wellness Classes – Beach Community Center North Broward Hospital District D/B/A Broward Health** (M-18)

**\$40,000 is budgeted in Fund 001, Subfund 01, PKR 033301, Subobject 3246.**

A motion authorizing the proper City Officials to execute agreement with North Broward Hospital District d/b/a Broward Health – fitness and wellness classes at Beach Community Center – February 1, 2009 through January 31, 2010.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0177

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**Change Order 4 (Final) – Astaldi Construction Corporation - \$96,575.81 – Lauderdale Manors Utilities Improvements Phase I** (M-19)

**Appropriate \$109,000 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10121.482-6599.**

A motion authorizing: (1) Change Order 4 (Final) with Astaldi Construction Corporation, in the amount of \$96,575.81 – full and final settlement between City and Astaldi of all claims, disputes and payments due – Project 10121 – Lauderdale Manors Utilities Improvement Project – Phase I; and (2) appropriate \$109,000 to fund this change order and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0105

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**Change Order 11 (Final) – Astaldi Construction Corporation (M-20)**  
**Progresso Sanitary Sewer Improvements – Credit (\$2,235,842.90)**

**Reduce the encumbrance in Fund 482, Subfund 01, P09766.482-6599; EP02501 by (\$1,763,858.90) and in Fund 470, Subfund 02, P09766.470-6599 by (\$471,984).**

A motion authorizing: (1) Change Order 11 (Final) with Astaldi Construction Corporation in net CREDIT amount of (\$2,235,842.90) – full and final settlement between City and Astaldi of all claims, disputes and payments due – Project 9766B – Progresso Sanitary Sewer – Storm Improvements; and (2) reduce encumbrance by (\$2,235,842.90).

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0106

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**Change Order 3 (Final) – Astaldi Construction Corporation (M-21)**  
**Credit (\$2,381,817.72) – Lauderdale Manors Utilities Improvements**  
**Phase II**

**Reduce encumbrances in Fund 482, Subfund 01, P10515.482-6599 by (\$83,360.08) and in Fund 487, Subfund 01, P10515.487-6599 by (\$2,298,457.64).**

A motion authorizing: (1) Change Order 3 (Final) – Astaldi Construction Corporation in net CREDIT amount of (\$2,381,817.72) for full and final settlement between City and Astaldi of all claims, disputes and payments due – Project 10515 – Lauderdale Manors Utilities improvements – Phase II; and (2) reduce encumbrance by (\$2,381,817.72).

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0115

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**Change Order 9 – The Poole and Kent Company - \$700,000 (M-22)**  
**Add 641 Days – Peele Dixie Membrane Plant Bid Package B**

**Appropriate \$784,000 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10454.482-6599; EPO2827.**

A motion authorizing: (1) Change Order 9 with The Poole and Kent Company in the amount of \$700,000 and the addition of 641 non-compensable calendar days to contract period – additional work and quantity adjustments – Peele Dixie Membrane Plant Bid Package B – Project 10454B; and (2) appropriate \$784,000 to fund this change order and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0175

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**Change Order 11 (Final) – The Poole and Kent Company - (M-23)**  
**\$33,338.20 – Fiveash Water Treatment Plant Upgrades Phase I**

**Appropriate \$38,000 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10387.482-6599; EPO2671.**

A motion authorizing: (1) Change Order 11 (Final) with The Poole and Kent Company in the amount of \$33,338.20 – additional work and quantity adjustments – Fiveash Water Treatment Plant Upgrades Phase I – Project 10387; and (2) appropriate \$38,000 to fund this change order and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0191

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**Change Order 5 – Conquest Engineering Group Company - (M-24)**  
**\$36,535.46 – Annual Storm Drainage Improvements Contract**

**Transfer \$45,000 from P00380-6599 to P11362.470-6599, Fund 470, Subfund 01 to fund the change order and engineering fees.**

A motion authorizing: (1) Change Order 5 with Conquest Engineering Group Company in the amount of \$36,535.46 – 2008-2009 Annual Storm Drainage Contract – Project 11362; and (2) transfer funds to fund this change order and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0229

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**Water Research Foundation, Inc. Subscription (M-25)**

**\$33,121 is available in PBS010101-4113, Fund 450, Subfund 01.**

A motion approving a one-year subscription to Water Research Foundation, Inc. in the amount of \$33,121.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0141

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**Amendment 3 To Agreement – South Florida Water Management District – North Fork of New River Improvements – Sanitary Sewer – Riverside Park (M-26)**

**No budgetary impact.**

A motion authorizing the proper City Officials to execute Amendment 3 to Agreement OT051225 with South Florida Water Management District – fourth-month extension to agreement – North Fork of New River Improvements – Sanitary Sewer – Riverside Park Basin B – Project 10578B.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0174

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**Amendment 8 – Work Authorization 16724.70 – Keith and Schnars, P.A. - \$39,820 – Imperial Point Large Water Main Improvements (M-27)**  
Amendment 8 – Work Authorization 16724.70 – Keith and Schnars, P.A. - \$39,820 – Imperial Point Large Water Main Improvements

**Appropriate \$46,000 from Water and Sewer Revenue Bonds to Fund 482, Subfund 01, P10571.482-6599; EPO2704.**

A motion authorizing the proper City Officials to: (1) execute Amendment 8 to Work Authorization 16724.70, in the amount of \$39,820 for additional engineering services associated with preparing a bid package for Imperial Point Large Water Main Improvements Phase II – Project 10571; and (2) appropriate \$46,000 to fund this amendment and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0176

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**Amendment 1 – Task Order 08-01 – Hazen and Sawyer, P.C. - \$12,510 – Second Avenue Pump Station Improvements – Design Engineering Services (M-28)**  
Amendment 1 – Task Order 08-01 – Hazen and Sawyer, P.C. - \$12,510 – Second Avenue Pump Station Improvements – Design Engineering Services

**Appropriate \$15,000 from Water and Sewer Revenue Bonds to Fund 482; Subfund 01; P10417.482-6599; EPO3522.**

A motion authorizing the proper City Officials to: (1) execute Amendment 1 to Task Order 08-01 with Hazen and Sawyer, P.C., in the amount of \$12,510 – additional design engineering services – Second Avenue Pump Station Improvements – Project 10417; and (2) appropriate \$15,000 to fund this amendment and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0221

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**Task Order 69 – Camp Dresser & McKee, Inc. - \$125,684 (M-29)**  
Task Order 69 – Camp Dresser & McKee, Inc. - \$125,684 Operating Permit Renewal – Lohmeyer Wastewater Treatment Plant

**Transfer \$141,000 from P00401-6599 to P10761.451-6599, both in Fund 451; Subfund 02.**

A motion authorizing the proper City Officials to: (1) execute Task Order 69 with Camp Dresser & McKee, Inc., in the amount of \$125,864 – engineering services associated

with preparation and submittal of Lohmeyer Wastewater Treatment Plant operating permit renewal application – Project 10761; and (2) transfer \$141,000 to fund this task order and engineering fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0216

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**Contract Award – Southern Florida Paving Group, LLC - (M-30)**  
**\$44,760 – Annual Speed Hump Installation Contract**

**Transfer \$50,000.00 from P00423.331-6599 to P11450.331-6599. In addition, transfer \$7,606.12 from P10353.331-6599 to P11450.331-6599. All in Fund 331, Subfund 01.**

A motion authorizing the proper City Officials to: (1) award and execute contract with Southern Florida Paving Group, LLC, in the amount of \$44,760 – Annual Speed Hump Installation – Project 11450; and (2) transfer funds to fund this contract, engineering fees and contingencies.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0230

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**Contract Award – Straightline Engineering Group, LLC - (M-31)**  
**\$235,300 – Annual Concrete, Stamped Asphalt, and Paving Stone Repairs**

**Transfer \$302,151.10 from P11236.331-6599, General Capital Projects Holding account, Fund 331, Subfund 01, to P11417.331-6599, Fund 331, Subfund 01. The transfer funds the contract, contingencies, and engineering fees.**

A motion authorizing the proper City Officials to: (1) award and execute contract with Straightline Engineering Group, LLC, in the amount of \$235,300 – 2008-2009 annual contract for concrete, stamped asphalt, and paving stone repairs – Project 11417; and (2) transfer funds for this contract.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0234

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**Contract Award – DiPompeo Construction Corporation (M-32)**  
**\$1,977,000 – Fire Station 3 – 2801 SW 4 Avenue**

**Transfer \$1,783,700 from P11236.331-6599, Fund 331, Subfund 01 to P10916.331-6599 Fund 331, Subfund 01, Also, transfer \$80,000 from P10766.336-6599 to P10916.336-6599, and transfer \$61,000 from P10363.336-6599 to P10916.336-6599; and transfer \$250,000 from P10911.336-6599 to P10916.336-6599; all in Fund 336, Subfund 01, to complete the funding.**

A motion authorizing the proper City Officials to: (1) award and execute contract with DiPompeo Construction Corporation, in the amount of \$1,977,000 – Fire Station 3 – 2801 SW 4 Avenue – Project 10916; (2) transfer funds to complete contract funding; and (3) return \$1,783,700 to Capital Improvement Program holding account once additional fire rescue facility bonds are issued.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0236

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**Railroad Crossing Reconstruction – NE 3 Avenue and NE 13 Street – Payment To Florida East Coast Railroad – City Share – \$227,828.70** (M-33)

**Transfer \$197,000 from P11236.331-6599 to PO8889.331-6599. Also, \$30,828.70 is available in PO8889.331-6599. All in Fund 331, Subfund 01.**

A motion authorizing payment of \$22,828.70 to Florida East Coast Railroad – City's share of cost to rebuild two railroad crossings – NE 3 Avenue and NE 13 Street and transfer funds for this payment.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-0239

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<b>CONSENT RESOLUTION</b>
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**Amend Operating Budget – Transfer and Appropriation - \$25,000 – Flowmeters – Prospect Wellfield** (CR-01)

**Appropriate \$25,000 from P11246; Subobject 6599; Fund 454; Subfund 01, to PBS670302-6499, Fund 450, Subfund 01.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0164

RESOLUTION NO. 09-53

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 \$25,000 FROM P11246 SUBOBJECT 6599, FUND 454, SUBFUND 01 TO PBS670302-6499, FUND 450, SUBFUND



01 FOR THE PROPRIETARY PURCHASE OF SEAMETRICS FLOWMETERS FROM GILSON ENGINEERING SALES OF FLORIDA, INC., SOLE DISTRIBUTOR IN THE STATE OF FLORIDA, FOR INSTALLATION AT THE PROSPECT WELLFIELD.

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**WaterWorks 2011 Financing – Florida State Revolving Fund -  
Amendment 3 To Loan Agreement**

**(CR-02)**

**No budgetary impact.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0178

RESOLUTION NO. 09-54

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AMENDMENT 3 TO THE CLEAN WATER STATE REVOLVING FUND LOAN AGREEMENT, NUMBER WW474410 BETWEEN THE FLORIDA WATER POLLUTION CONTROL FINANCING CORPORATION AND THE CITY TO INCREASE THE LOAN AMOUNT BY \$10,000,000; AUTHORIZING THE AMENDMENT TO LOAN AGREEMENT AND PROVIDING AN EFFECTIVE DATE.

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**Harbour Isles – Inlet Beach Improvements  
Special Assessment Project Acceptance**

**(CR-03)**

**No budgetary impact.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0228

RESOLUTION NO. 09-55

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING THE INSTALLATION OF THE HARBOUR ISLES OF FORT LAUDERDALE, INC. INLET BEACH IMPROVEMENTS SPECIAL ASSESSMENTS COMPLETE AND ACCEPTED AND READY FOR PUBLIC USE.

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**Street Name Addition – Arnold Grevior Avenue  
SE 1 Avenue Between SE 6 Street and SE 7 Street**

**(CR-04)**

**No budgetary impact.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0260

RESOLUTION NO. 09-56

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADDING THE NAME "ARNOLD GREVIOR AVENUE" TO SE 1<sup>ST</sup> AVENUE BETWEEN SE 6<sup>TH</sup> STREET AND SE 7<sup>TH</sup> STREET.

**Amend Operating Budget – Appropriation - \$525,000  
Security System and Equipment Replacement – Utility  
Treatment Plants**

**(CR-05)**

Appropriate \$200,000 from P11248.454-6599, Fund 454, Subfund 01, to PBS010601-6499, Fund 450, Subfund 01. Appropriate \$250,000 from P11248.454-6599, Fund 454, Subfund 01 to PBS010601-3404, Fund 450, Subfund 01. Appropriate \$25,000 from P11246.454-6599, Fund 454, Subfund 01, to PBS010601-3404, Fund 450, Subfund 01. Appropriate \$50,000 from P11247.454-6599, Fund 454, Subfund 01, to PBS660101-6499, Fund 450, Subfund 01.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0220

RESOLUTION NO. 09-57

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 \$525,000 FOR SECURITY SYSTEM AND EQUIPMENT REPLACEMENT FOR PUBLIC WORKS.

**Amend Operating Budget – Appropriation - \$582,662  
Annual School Resource Officer Operating Budget**

**(CR-06)**

Appropriate \$582,662 from Fund 107, Subfund 01, undesignated cash balance to Fund 107, Subfund 01, POL080101, various subobjects.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0167

RESOLUTION NO. 09-58

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 \$582,662.00 FROM THE LAW ENFORCEMENT TRUST FUND FOR SCHOOL RESOURCE OFFICERS.

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**Amend Operating Budget – Appropriation - \$38,540** (CR-07)  
**Undercover and Covert Equipment – Police Special**  
**Investigations Division**

**Appropriate \$38,540.00 from Fund 107, Subfund 01, undesignated cash balance to Fund 107, Subfund 01 POL080101, 6499 other equipment.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0183

RESOLUTION NO. 09-59

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 \$38,540.00 FROM THE DEA CONFISCATED PROPERTY TRUST FUND FOR SPECIAL INVESTIGATIONS DIVISION EQUIPMENT.

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**Special Magistrate Appointments – Code Enforcement** (CR-08)

**No budgetary impact.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0168

RESOLUTION NO. 09-60

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING JUDGE FLOYD HULL, JUDGE MARK PURDY, MEAHY ROTHMAN TELL, ESQ., AND ROSE ANNE FLYNN, ESQ., AS CODE ENFORCEMENT SPECIAL MAGISTRATES FOR THE CITY OF FORT LAUDERDALE.

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**Donation From Chevy Youth Baseball – Joseph C. Carter Park Youth Baseball Program (CR-09)**

**\$500 donation to be appropriated to PKR030210-3901, Athletic Supplies, Fund 001, Subfund 01. Revenue into PKR030210-J751, Athletic Fees, Fund 001, Subfund 01.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0211

RESOLUTION NO. 09-61

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING A DONATION OF FIVE HUNDRED DOLLARS (\$500.00) AND A CHEVY RAFFLE FUNDRAISER KIT FROM THE CHEVY YOUTH BASEBALL PROGSRAM THORUGH LOU BACHRODT CHEVROLET DEALERSHIP FOR THE JOSEPH C. CARTER PARK YOUTH BASEBALL PROGRAM AND 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 FIVE HUNDRED DOLLARS (\$500.00) TO PURCHASE ADDITIONAL BASEBALL EQUIPMENT.

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**Waiver – Conflict of Interest – Hiring Committee Member As Consultant (CR-10)**

**No budgetary impact.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0223

RESOLUTION NO. 09-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, WAIVING ANY CONFLICT OF JAN BETH IDELMAN AS A MEMBER OF THE

CENTENNIAL COMMITTEE PROVIDING EVENT FUNDRAISER AND SPONSORSHIP ACQUISITION SERVICES TO THE CITY OF FORT LAUDERDALE PARKS AND RECREATION DEPARTMENT.

**Declaration of Official Intent To Issue Revenue Bonds (CR-11)**  
**WaterWorks 2011 – Bonds Not To Exceed \$90 Million**

**No budgetary impact.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0235

RESOLUTION NO. 09-62

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING THE OFFICIAL INTENT OF THE CITY OF FORT LAUDERDALE TO ISSUE REVENUE BONDS IN ORDER TO, AMONG OTHER THINGS, REIMBURSE ITSELF FROM THE PROCEEDS OF SUCH REVENUE BONDS FOR FUNDS ADVANCED BY THE CITY FOR CERTAIN EXPENSES INCURRED WITH RESPECT TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY OF FORT LAUDERDALE; AND AUTHORIZING CERTAIN INCIDENTAL ACTIONS.

**Bond and Disclosure Counsel – 2009 Water and Sewer Revenue (CR-12)**  
**Bonds – Squire, Sanders & Dempsey, L.L.P.**  
**And Steve Bullock, P.A.**

**\$183,200 will be available in Fund REV2009.450, Subobject 7305 from the 2009 Water and Sewer Revenue Bond proceeds.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0238

RESOLUTION NO.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING THE LAW FIRM OF SQUIRE, SANDERS & DEMPSEY L.L.P. TO ACT AS BOND COUNSEL AND STEVEN BULLOCK OF THE LAW FIRM OF STEVEN BULLOCK P.A. TO ACT AS DISCLOSURE COUNSEL TO THE CITY OF FORT

LAUDERDALE, FLORIDA IN CONNECTION WITH THE 2009  
WATER AND SEWER REVENUE BOND ISSUE.

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**Renewal of License Agreement – Fort Lauderdale Archers, Inc. (CR-13)**  
**Old Police Firing Range – 4590 SW 46 Avenue**

**Appropriate \$3,400 in revenue to EDV010102, Subobject N147, Fort Lauderdale Archers, Fund Type 01, Fund 001, Subfund 01,expense subobject 3199 \$3400.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-0194

RESOLUTION NO. 09-63

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A ONE-YEAR EXTENSION AGREEMENT WITH THE FT. LAUDERDALE ARCHERS, INC. TO USE THE FORMER POLICE FIRING RANGE AND 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 FUNDS IN THE AMOUNT OF \$3,400 IN REVENUE TO EDV010102, SUBOBJECT N147, FORT LAUDERDALE ARCHERS, FUND TYPE 01, FUND 001, SUBFUND 01, EXPENSE SUBOBJECT 3199 \$3400.

The City Clerk noted earlier today the City Commission received a funding correction to this item (expense subobject 3199 \$3,400) that will be made a part of the record.

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**PURCHASING AGENDA**

**Proprietary – IBM Operating System Support (PUR-01)**  
**Financial Accounting Computer Software**

**\$1,952 is budgeted in Fund 001, Subfund 01, ITS010301, 3401.**

An amendment to the amount originally approved – IBM operating system software annual support is being presented for approval by Information Technology Services Department.

**Recommend:** Motion to approve.

**Vendor:** IBM  
Armonk, NY

**Amount:** \$1,952.00 (not to exceed)  
**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 09-0129

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

**792-10205 – Telephone and Data Wiring Services**

**(PUR-02)**

**No cost to enter into this contract. City depts will spend according to per unit pricing secured through the competitive bidding process & available budget.**

One-year contract to furnish, install and repair voice, data, coaxial and fiber optic communications cable and accessories at various City facilities is being presented for approval by Information Technology Services Department.

**Recommend:** Motion to approve.

**Vendor:** ComDesign Infrastructure Solutions, Inc.  
 St. Petersburg, FL  
**Amount:** Per Unit Prices  
**Bids Solicited/Rec'd:** 993/5  
**Exhibit:** Commission Agenda Report 09-0190

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

**792-10233 – SmartNet Maintenance and Support Agreement – Cisco Computer Networking Equipment**

**(PUR-03)**

**\$72,062.35 is budgeted in Fund 581, Subfund 01, ITS020102, 3401.**

One-year renewal for maintenance and support of Cisco SmartNet Computer Networking equipment is being presented for approval by Information Technology Services Department.

**Recommend:** Motion to approve.

**Vendor:** Coleman Technologies, Inc.  
 Orlando, FL  
**Amount:** \$72,062.35 (estimated)  
**Bids Solicited/Rec'd:** 1339/8  
**Exhibit:** Commission Agenda Report 09-0195

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

**Proprietary – Famis – BPrep Financial Accounting System – Contract Assignment****(PUR-04)****No budgetary impact.**

Assignment of existing contract for license and support of financial accounting software system is being presented by Information Technology Services Department.

**Recommend:** Motion to approve.

**Vendor:** Cogsdale Holdings Ltd. Inc.  
Charlottetown, Canada

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

**Exhibit:** Commission Agenda Report 09-0197

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

**775-9777 – Audit Management Software Contract Assignment****(PUR-05)****No budgetary impact.**

Assignment of existing contract for audit management software and support is being presented for approval by Information Technology Services Department.

**Recommend:** Motion to approve.

**Vendor:** CCH Incorporated  
Riverwoods, IL

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

**Exhibit:** Commission Agenda Report 09-0218

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

**Proprietary – Public Works Annual Software Maintenance Renewal Timekeeping and Management Maintenance Systems****(PUR-06)**

**\$88,870 is budgeted in Fund 450, Subfund 01, PBS010601-3401; \$24,312.07 is budgeted in Fund 450, Subfund 01, PBS010601-3401; \$7,425.98 is budgeted in Fund 001, Subfund 01, PKR060101-3401; \$3,037.25 is budgeted in Fund 461, Subfund 01, PAR020101-3401.**

One-year software maintenance agreement renewal for: (1) Kronos timekeeping system and associated clocks; and (2) Hansen computerized management maintenance system is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.



**Vendor:** Kronos (US), Inc.  
Dallas, TX  
Hansen Information Technologies (Corporation)  
Alpharetta, GA  
**Amount:** \$123,645.30  
**Exhibit:** Commission Agenda Report 09-0215

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

**Proprietary – Preventative Maintenance (PUR-07)**  
**Variable Frequency Drives – Lohmeyer Wastewater Treatment Plant**

**\$15,499 is budgeted in Fund 451, Subfund 01, PBS670502-3407.**

Purchase preventative maintenance service for five variable frequency drives at Lohmeyer Wastewater Treatment Plant is being presented for approval by Public Works Department.

**Recommend:** Motion to approve  
**Vendor:** Siemens Energy & Automation, Inc.  
Alpharetta, GA  
**Amount:** \$15,499.00  
**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 09-0186

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

**285-9999 – Construction Management Services (PUR-08)**  
**Fire Stations 3 and 49 – SW 4 Avenue and Seabreeze Boulevard**

**Transfer \$272,880 from P10910.336-6599, Fire Station SE Land, to P10912.336-6599 and transfer \$136,440 from P10910.336-6599 to P10916.336-6599, all in Fund 336, Subfund 01.**

A motion authorizing: (1) contract with CIMA Engineering Corp. to perform construction management services for Fire Stations 3 and 49, in the amount of \$136,440 each, for a total amount of \$272,880; and (2) transfer of funds for this contract.

**Recommend:** Motion to approve.  
**Vendor:** CIMA Engineering Corp.  
Miami, FL  
**Amount:** \$272,880.00 Base price plus reimbursable allowance  
**Bids Solicited/Rec'd:** 391/12  
**Exhibit:** Commission Agenda Report 09-0147

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

**495-10161 – Financial Consulting Services – Water, Wastewater, Stormwater and Sanitation Utility Rates** (PUR-09)

**\$78,000 is budgeted in Fund 450, Subfund 01, PBS010101, 3199.**

Three-year consulting contract for water, wastewater, stormwater and sanitation utility rates and financial services is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.  
**Vendor:** Burton & Associates, Inc.  
 St. Augustine, FL  
**Amount:** \$78,000.00  
**Bids Solicited/Rec'd:** 838/5  
**Exhibit:** Commission Agenda Report 09-0166

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

**483-9948 – Asphalt Concrete** (PUR-10)

**The Department will spend in accordance with per unit pricing secured through the competitive bid process. There are funds available in P10844.482-6599, Fund 482, Subfund 01; P10809.482-6599, Fund 482, Subfund 01, P11060.482-6599, Fund 482, Subfund 01; and PBS660506-3434, Fund 450, Subfund 01. (Memorandum 09-045)**

One-year renewal of contract to purchase asphalt and bituminous materials is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.  
**Vendor:** Hardrives of Delray, Inc.  
 Delray Beach, FL  
**Amount:** Per Unit Prices  
**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 09-0170

The Procurement Services Department has reviewed this item and recommends extending this contract for one year.

**493-10227 – Liquid Oxygen** (PUR-11)

**\$185,544 is available in Fund 451, Subfund 01, PBS670503-3799.**

One-year contract to purchase liquid oxygen is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.  
**Vendor:** Air Liquide Industrial U.S. LP  
Houston, TX  
**Amount:** \$185,544.00 (estimated)  
**Bids Solicited/Rec'd:** 296/3  
**Exhibit:** Commission Agenda Report 09-0171

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

**Proprietary – New Site For Institutional Network (PUR-12)**  
**Public Works Water Meter Shop Voice And Data Communications**

**\$23,364.46 is budgeted in Fund 450, Subfund 01, PBS010601, 3404.**

Purchase fiber connection to add Public Works Water Meter Shop to City Institutional Network is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.  
**Vendor:** Comcast of Florida, LP  
Philadelphia, PA  
**Amount:** \$23,364.46 (not to exceed)  
**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 09-0182

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

**H-15-08 Co-Op – Contract Extension – Liquid Chlorine (PUR-13)**

**\$6,640 is budgeted in Fund 01, Subfund 01, BUS040101-3701; \$385,000 is budgeted in Fund 451, Subfund 01, PBS670503-3701; \$34,802 is budgeted in Fund 450, Subfund 01, PBS670303-3701.**

One-year contract extension for liquid chlorine is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.  
**Vendor:** Allied Universal Corp.  
Miami, FL  
**Amount:** \$426,442.00 (estimated)  
**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 09-0196

The Procurement Services Department has reviewed this item and recommends extending the South Florida Governmental Cooperative Purchasing Group contract.

**Proprietary – Motorola Handheld Radios and Accessories (PUR-14)**  
**Police and Fire Rescue Departments**

**Funding of \$1,478,000 for this purchase will be available in P11207.331 all in Fund 331, Subfund 01, Subobject 6599. With the approval of Motion CAR 09-0189, which facilitates the funds transfer.**

Purchase of Motorola public safety handheld radios and accessories for Police and Fire-Rescue Departments is being presented for approval by the Police Department.

**Recommend:** Motion to approve.

**Vendor:** Motorola, Inc.  
Schaumburg, IL

**Amount:** \$1,368,489.97

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

**Exhibit:** Commission Agenda Report 09-0180

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

**Proprietary – Undercover and Covert Equipment (PUR-15)**  
**Special Investigations Division – Police Department**

**\$38,540 will be available in Fund 107, Subfund 01 POL080101, 6499 after approval of CAR 09-0183 Fund Transfer.**

Purchase undercover and covert equipment is being presented for approval by the Police Department Special Investigations Division.

**Recommend:** Motion to approve.

**Vendor:** DTC Communications, Inc.  
Nashua, NH

**Amount:** \$30,940.00

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

**Exhibit:** Commission Agenda Report 09-0184

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

**593-10144 – Event Fundraiser And Sponsorship (PUR-16)**  
**Acquisition Services**

**No budgetary impact.**

One-year contract for event fundraiser and sponsorship acquisition services is being presented for approval by the Parks and Recreation Department.

**Recommend:** Motion to approve.

**Vendor:** Jan Beth Idelman, Inc.  
Fort Lauderdale, FL

**Bids Solicited/Rec'd:** 476/3

**Exhibit:** Commission Agenda Report 09-0222

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

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The City Clerk announced that the following four items have been removed from tonight's agenda:

**Funds Transfer – Purchase Motorola Public Safety Radios and Accessories** (M-14)

**Proprietary – Motorola Handheld Radios and Accessories Police and Fire Rescue Departments** (PUR-14)

**Waiver – Conflict of Interest – Hiring Committee Member As Consultant** (CR-10)

**Bond and Disclosure Counsel – 2009 Water and Sewer Revenue Bonds – Squire, Sanders & Dempsey, L.L.P. and Steve Bullock, P.A.** (CR-12)

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Teel that Consent Agenda Items M-12, M-18, M-32, CR-04, CR-06, and CR-08 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

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**Lease Agreement – Retail Space at City Park Mall - Paul James Salon Inc.** (M-12)

Vice Mayor Rodstrom wanted further clarification on this item. She did not want to see an empty business window, but rather that there be activity. She asked what the City could do perhaps with the rent or some way to help the business. Stephen Scott, Director of Economic Development, said staff has worked with the business for the last year, but they have not been able to make a go of the tanning salon business. The Paul James Salon is willing to move out of this space. Staff will be doing everything possible to activate the space as soon as possible. Upon further inquiry from Vice Mayor Rodstrom, Mr. Scott explained the City will be collecting their rent, plus the arrears monthly. Staff would certainly consider anything the salon presents to the City. He believed the second space was only about 800 square feet, but he was not sure of the

rental amount for it. Mayor Naugle noted the backup quotes \$12-\$13, which Mr. Scott indicated is a reduced rate.

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

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**Fitness and Wellness Classes – Beach Community Center - (M-18)**  
**North Broward Hospital District D/B/A Broward Health**

At Commissioner Teel's request, Phil Thornburg, Parks and Recreation Director, explained that the City previously received assistance from Imperial Point Hospital for programming at the center, but the hospital has indicated it is no longer interested in this activity. Broward Health stepped forward and offered to provide the same programs for the most part. There will be no interruption. He was not aware of any rate increases, but would have to check on that. He noted these programs have been very popular.

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

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Mayor Naugle recognized Mayor Elect Jack Seiler in the audience.

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**Contract Award – DiPompeo Construction Corporation - \$1,977,000 (M-32)**  
**Fire Station 3 – 2801 SW 4 Avenue**

Chris McEachern, Gates Builders, said that on February 11, 2009, Gates submitted a bid which was opened, read and accepted at the time of the formal bid opening by Procurement Services and indicated as the lowest bid, only to have the award later withdrawn by the department on February 16 after allegations that the bid was improper. It is Gates' position that the bid was timely and the lowest bid, and should be awarded to Gates in the best interest of the City. Gates requests that the Commission to overrule the Procurement Department's decision, and award the contract to Gates. Gates has participated in three competitive bids with the City's Engineering department in the last year, via the online bid system known as BidSync. He noted their rankings, that Gates was awarded the bid for Fire Station 49, and that the two prior bids leading up to the February 11 submission took place via BidSync without conflict or error. He explained that for Fire Station 3, there was an unidentified Bid Sync server error (attached Exhibit A.2), preventing final confirmation of the offer online. A copy of the offer page however was submitted prior to the 2 p.m. deadline. The sealed bid provided to Mr. Hemphill was later publicly read at the time of the bid opening and accepted. The Procurement Department later deemed the submittal late, and indicated that the document upload error on Gates' behalf was the cause without providing sufficient fact-based evidence of any errors. After repeated requests for the City to produce documentation in support of the ruling, none has been produced. Bid Sync's technical support indicated prior to the time of the bid, an error persisted on the fault of Bid Sync. A lack of effort on the part of the City's Procurement Department to properly research the error has resulted in insufficient evidence, other than that of the Bid Sync error. An offer was made prior to the deadline. Acceptance of the offer was extended when City officials acknowledged

the bid at the time of the bid opening. If the offer was not proper or assumed late as indicated, per the City purchasing ordinance, only the City Manager has the authority to make the decision to open and read the bid. This decision was waived. The City Manager was never asked to open the bid, therefore deeming the bid acceptable. The City has both the civic and legal duty to uphold what is fair and lawful while making a determination as to what is in the best interest of the City. According to City Ordinance, Division 2, Section 2-181, the Commission shall waive formal bid procedures and award the contract to the lowest and best responsible bidder on a regular meeting by motion. Gates feels strongly that it would be unjust if the bid was awarded to any other company than Gates Builders, the low responsible bidder, especially since the bid was originally accepted. To do so otherwise would not be fair to the bid process, the bidders themselves, or that of the City resulting in a direct loss of nearly \$80,000 to the City's taxpayers in a time of budget crisis.

Richard Missal, Gates Builders, said that he was present at the bid opening. While waiting for the bid opening, he received a call from Mr. McEachern, saying that he was having trouble sending the electronic bid through Bid Sync. He gave his phone to the 4<sup>th</sup> floor receptionist so that Mr. McEachern could talk to the receptionist. Mr. McEachern was told to call Bid Sync, which he did. In the meantime, Mr. Hemphill arrived and spoke to Mr. McEachern also. The 2 p.m. bid opening was delayed until approximately 2:12 p.m. Other attendees questioned the delay and were informed that there was a problem with the electronic bids from Bid Sync. Hard copy bids were opened and announced. Then Mr. Hemphill read the electronic bids. Gates Builder was the lowest bid. Here were attendees raising questions at the opening. Bid Sync did verify that Gates Builders attempted to submit their bid at approximately 1:50 p.m. but there had been a problem. Another City staff announced that the bids were opened and it was finalized.

John Hayes, Gates Builders, noted that the bids were opened and read, including the electronic bids and Gates' bid, which had issues with the Bid Sync submittal process and was transmitted via email to the City. He understood that only the City Manager can decide if a bid is late. It must not have been considered late and that is why it was read. BidSync has not been able to pinpoint the error. As such with no evidence, it seems that Gates would be the low bidder for Fire Station 3. Gates' bid was almost \$80,000 less than the next bidder. It seems that in such difficult economic times, the money could be used for other purposes. He thanked the City for Gates being awarded Fire Station 49. They have worked hard to develop relationships, exceed expectations and earn the City's trust. They would like to build Fire Stations 49 and 3.

Steve Tilbrook, representing DiPompeo Construction Corporation, said DiPompeo is a local-based, family owned and operated business. DiPompeo is the low responsive bidder. He urged the Commission to follow staff's determination and recommendation. Gates is not a local contractor. They submitted a later and incomplete bid. City staff correctly rejected it. Staff bent over backwards to assist the protestor. It is not the staff's responsibility to resolve this issue for Gates. It is bad policy and law to accept late or irregular bids. The bid opening was held up for half an hour while they tried to extract things from email. Email is not a valid for submitting a bid to the City. It was not a sealed bid. It was flawed. All documents relating to the bid, including the bid bond, were not submitted until almost a day later. DiPompeo will build a quality project on-time and on-budget.

Kirk Buffington, Director of Procurement Services, referred to statements that the Gates' bid was accepted. Under the threshold of the City's purchasing policy, only the Commission can accept any bid. The bids were read. Staff went out of their way to try to resolve the problem the day of the bid opening. Staff in no way ever communicates at any bid opening that any bid is accepted because they have to review all the documents submitted. He did a lot to try to determine the problem which he elaborated upon. He determined that the error occurred in a document that Gates was attempting to upload. This information has been communicated to Gates, both in writing and orally. In the materials provided by Gates there is a copy of his second letter that he sent to Gates. Three other contractors bid successfully electronically that afternoon. One of those contractors submitted a successful bid at 1:55 p.m., which is the same time that Gates was attempting to perform their submittal. This is one reason why he believes that there was an error on their document upload, and not the fault of Bid Sync. Regardless of where the fault may have been, it is the bidder's responsibility to get their bid submitted to the City on time in the manner and method as prescribed in the bid documents. He explained that bidders are given the option of submitting a hard copy or electronically. The City has been doing electronic bidding for almost three years, including several thousand electronic submittals from hundreds of bidders. There has never been a problem. He recommended the bid be awarded to the responsive and responsible bidder, DiPompeo and that Gates' bid was irregular at time of submittal.

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Teel to approve staff's recommendation regarding the award of the bid. Roll call showed: YEAS: Commissioners Lewis, Hutchinson and Teel, Vice Mayor Rodstrom, and Mayor Naugle. NAYS: None.

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**Street Name Addition – Arnold Grevior Avenue (CR-04)**  
**SE 1 Avenue Between SE 6 Street and SE 7 Street**

Barbara Grevior said her husband has been a resident of Fort Lauderdale since the mid-1960's and is now retired. She requested this honor for her husband on the avenue where his law practice was situated. She elaborated upon his community involvement and that he has been a municipal court judge. She felt it would be most valuable to extend this honor before he is deceased.

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

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**Amend Operating Budget – Appropriation - \$582,662 (CR-06)**  
**Annual School Resource Officer Operating Budget**

Vice Mayor Rodstrom wanted to defer this item until the new Commission is in place unless this is time sensitive. **Motion** made by Vice Mayor Rodstrom to table this item until March 17, 2009 died for lack of a second.

Commissioner Hutchinson introduced Item CR-06 as presented.

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



**Special Magistrate Appointments – Code Enforcement**

**(CR-08)**

Commissioner Hutchinson indicated she removed this from the consent in order to vote on it separately.

Commissioner Teel introduced Item CR-08 as presented.

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

**RESOLUTIONS**

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

**(R-01)**

**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**

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 09-

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 HOTEL WITH RESTAURANT, BAR AND RETAIL USES ON PROPERTY LOCATED AT 700 NORTH ATLANTIC BOULEVARD IN AN ABA ZONING DISTRICT, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only.

Donald Hall, representing the Applicant, said this request is identical to the one granted to Ocean Wave and for the same reasons. Since the February 17 staff report, there is a new staff suggestion. It is a condition that would provide between the date of extension and date of application for building permit, review of the building permit and project would be subject to and reviewed for any new ordinances and applicable regulations that take effect prior to submittal of a complete application for development, which means building permit. Extensions have been granted to three other projects on the beach and none have this condition. The code is very clear in Section 47-34.1.5(f) that an extension of time shall be granted by the reviewing body when two criteria are met; being when all applicable building, zoning, and engineering regulations remain the same

and good cause is shown. For this application, all building, zoning and engineering requirements are the same as when the site plan was approved. The good cause as set forth in his letter, is what the Commission has found three times this year to be good cause, that being the economic situation, inability to obtain financing and the deteriorating situation with constructing new hotels. The Applicant has met the two criteria. Staff's suggestion is not found in the code and cannot be properly appended to this application. The code would have to be amended. He explained the purpose of an extension. The condition takes away vesting. It would not be possible to attract investors or banks until a building permit is obtained. The cost to prepare permit ready plans for this hotel would be over \$1 million. The suggestion is counter-productive and would not serve any useful purpose. He asked the extension be granted without this additional condition.

Mr. Hall said there has been a question as to why the hotel has not been demolished. There is a provision in the mortgage that the building may not be demolished without the consent of the lender. As recently as last week, the lender refused to grant that consent as it is part of their security. There have been ongoing discussions with Code Enforcement. The seven items listed have been addressed.

Fred Carlson, Vice President, Central Beach Alliance (CBA), said he resides about two and a half blocks from the proposed project. The back of the hotel is what residents see. He elaborated upon efforts made to make the street behind the hotel a people street. The Orion Hotel proposal was unique to the CBA because it addressed the community's view of the back of the hotel and the people street idea. Originally, the CBA approved the project. Objections by the Bonnet House resulted in the CBA reconsidering the project and voting against it. Subsequently there was another vote on December 8, 2005, and the CBA voted 104-0 in favor of it.

Vice Mayor Rodstrom asked about the view today. Mr. Carlson said he has been concerned about the site being used by the homeless, but recently the Applicant has been at the site, cleaning it up. He recognized the building is an asset against their loan.

Vice Mayor Rodstrom questioned if Mr. Carlson is prepared to look at the building the way it is for the period of the extension which is 2013. Mr. Carlson acknowledged current economic conditions and the need for time. He believed the Applicant will be proactive and work with the community. Based on their past performance in the design and their working with the community, he believed the Applicant will come through the best they can.

Vice Mayor Rodstrom recalled and asked if Mr. Carlson remembered a question posed at the CBA years ago about whether the Applicant was financially ready to start the project immediately once they finished with the Bonnet House. Mr. Carlson did not remember that conversation and he could not find anything in the CBA minutes.

Wayne Jessup, Planning and Zoning, referred to work underway on a master plan for the central beach area which will have significant impact on the quality of development along the beach. The Unified Land Development Regulations may be modified in order to implement the master plan. Staff wants to make sure that developments are consistent with that intent. In this way, the City could look at projects that are not getting built right away.

Vice Mayor Rodstrom asked if this extension is granted, does this mean the Applicant would not come before the new Commission whatsoever. She questioned if this means that they would not have to abide by a master plan where the Commission agreed to devote \$650,000 of taxpayer money to develop. Mr. Jessup indicated that would be the case if the condition is not included. Once the extension begins in March of 2010, at any time that a building permit application is filed and there have been subsequent changes to the zoning ordinance by virtue of the master plan, those changes would be considered in the development plan.

Vice Mayor Rodstrom noted the purpose and goal of the master plan. She did not appreciate the precedent setting vote on the Ocean Wave as she feared requested extensions would bypass the next Commission. She felt the new Commission should have an opportunity to weigh in. It is a political move to request an extension today. In response to Vice Mayor Rodstrom, Mr. Jessup indicated the Applicant's timeline expires in September. Vice Mayor Rodstrom pointed out this request is six months ahead of schedule. She saw no request to hear this tonight. She asked the Commission to consider the impact of these extensions. She did not want to see the standards of the beach diminished. She also pointed to the disarray and condition of the building today.

**Motion** made by Vice Mayor Rodstrom and seconded by Commissioner Lewis to table this matter to April 17, 2009. Roll call showed: YEAS: Commissioners Lewis and Teel, and Vice Mayor Rodstrom. NAYS: Commissioner Hutchinson and Mayor Naugle. It was corrected to April 21, 2009.

Commissioner Hutchinson asked why developers are being treated differently as Ocean Wave did not have this condition and the City was well into the master plan at the time. She felt this is setting bad precedence setting. She took exception that everything is going to the new Commission. She was disappointed that staff is adding things at the last minute. This condition was not put on any other projects on the beach.

Commissioner Teel expected more of these things. What discourages her is that when they sit and think about what they are looking at since the building has been closed, it is a blight on the neighborhood. All of a sudden, people are requesting an extension and hurry to try and clean up the site. She feels that is a slap in the face to the neighborhood. They did not take any pride or interest in the area until they wanted something. She finds it troubling that people in the community would have to look at the site in its present condition for three more years. She believes the building should be demolished, and sod and a sprinkler system should be installed. She feels that is the way vacant sites should look. The building is part of the property's asset and she understands the comment by the lender, but it should be retained in an acceptable way. The City needs to be more demanding on how such sites are maintained.

Mayor Naugle said if the original approval had said that the existing building was to be demolished within 90 days, they would not be having this discussion. Commissioner Teel agreed and said possibly some type of secure fencing could be installed at the site.

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<b>CITIZEN PRESENTATIONS</b>
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**Thomas N. Typner – Hookup To City Sanitary Sewer System -  
WaterWorks 2011 Program**

(CIT-01)

Not present.

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**Robert Walsh – Reminder To Vote – March 10, 2009  
Municipal Election**

(CIT-02)

Robert Walsh reminded residents to vote on March 10. He said they all need to think before they talk. He is concerned about the residents of this City. He spoke about some of the candidates, and believes that they should tell the citizens who they are and provide some of their background. He thanked Commissioner Teel about the work she has done regarding the gas pipeline. He said that possibly they should consider having the City Manager position as an elected position.

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<b>PUBLIC HEARINGS</b>
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**Dock Waiver Application – Distance Limitations  
William E. Brantmeyer – 852 NE 20 Avenue**

(PH-01)

**No budgetary impact.**

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

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

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 09-52

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.B & C OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW WILLIAM BRANTMEYER TO CONSTRUCT AND MAINTAIN A SINGLE WOOD FIXED FINGER PIER AND SIX (6) SETS OF CLUSTER MOORING PILINGS A MAXIMUM DISTANCE OF 49' INTO THE

WATERS OF THE MIDDLE RIVER FROM THE PROPERTY LOCATED AT 852 NORTHEAST 20<sup>TH</sup> AVENUE, SUCH DISTANCES AND PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW.

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

**ORDINANCES**

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

Commissioner Hutchinson introduced the following ordinance on second 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: Commissioners Lewis, Hutchinson, and Teel, Vice Mayor Rodstrom, and Mayor Naugle. NAYS: None.

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**Magdalene Lewis Street**

**(OB)**

Mayor Naugle said that he would proceed to read a walk-on resolution as follows:

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 09-64

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADDING THE NAME "MAGDALENE LEWIS STREET" TO THAT LENGTH OF NW 16 STREET BETWEEN NW 23 AVENUE AND NW 28 AVENUE.

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

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**Advisory Board /Committee Appointments**

**(OB)**

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

Beach Redevelopment Board

Daniel S. Matchette

Commissioner Hutchinson introduced a written resolution entitled:

RESOLUTION NO. 09-65

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

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

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**Fort Lauderdale Fire and Safety Museum – Sale of  
Antique Police and Fire Apparatus and Historical Documents**

**(OB)**

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Teel to authorize the sale of an antique police car, fire apparatus, hoses, bunker gear, Scott Air pack, wooden daily line-up board, and historical fire documents to the Fort Lauderdale Fire and Safety Museum for a nominal amount and authorize Procurement Services to transfer ownership of said property to the Museum.

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

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Mayor Naugle said that after 24 years, this would be his final rap of the gavel.

There being no other matters to come before the Commission, the meeting was adjourned at 7:44 P.M.

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John P. "Jack" Seiler  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk