

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
July 7, 2009

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
July 7, 2009**

Meeting was called to order at 6:08 p.m. by Mayor Seiler on the above date, City Commission Meeting Room.

Roll call showed:

Present: Vice Mayor Bruce G. Roberts
Commissioner Charlotte E. Rodstrom
Commissioner Bobby B. DuBose
Commissioner Romney Rogers
Mayor John P. "Jack" Seiler

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 Sergeant Michael Siekierski

Invocation was offered by Father Joe, Saints Francis and Clare Catholic Church, followed by the Pledge of Allegiance led by Joe Millsaps.

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

At Commissioner Rodstrom's request, approval of minutes was deferred to July 21, 2009. (April 15, 2008 Special, April 21, 2009 Special, April 21, 2009 and May 5, 2009 Conference, May 19, 2009 City County Summit and May 19, 2009 Regular meetings)

Presentations

1. 2010 Air and Sea Show (PRES-01)

Stan Smith, Air Lauderdale Beach Fest, thanked the City for all their efforts regarding this upcoming event.

Joe Millsaps, Broward Navy Days, was happy to work with the Air Lauderdale Beach Fest and commented that the Navy believes this is the prime venue for this event.

Mr. Smith and Mr. Millsaps announced that the Air Lauderdale Beach Fest will be held April 24-25, 2010, and Fleet Week on April 26 through May 3, 2010. There will be events beginning April 23 and continuing for ten days.

2. Rose Guttman Day – July 7, 2009 (PRES-02)

Vice Mayor Roberts presented a proclamation to Rose Guttman designating July 7, 2009 as Rose Guttman Day for all of her work on behalf of the Galt Ocean Mile residents. Ms. Guttman thanked the City for this honor and urged the Commission to do everything that is best for the City.

**3. Commendation – Mark Almy
(PRES-03)**

Commissioner DuBose presented a proclamation to Mark Almy for his efforts in rescuing a child from a dog attack. A certificate of appreciation will also be provided to Darryl Armstrong who assisted at the scene. Mr. Almy thanked the City for the honor. He also recognized Darryl Armstrong who was first on the scene and helped. On behalf of the victim, Mr. Smith thanked Mr. Almy and Mr. Armstrong for all their efforts and assistance.

4. Parks and Recreation Month – July, 2009 (PRES-04)

Commissioner Rogers presented a proclamation to Mark Hartman, Chair of the Parks, Recreation and Beaches Advisory Board designating July, 2009 as Parks and Recreation Month. Mr. Hartman thanked the City for the proclamation, and staff for their hard work. He announced upcoming events.

**5. Parking and Fleet Services – Third in Top
(PRES-05)
One Hundred Fleets in North America**

The City Manager recognized the Parking and Fleet Services Department staff and their director for being third in the top one hundred best government fleets in North America for 2009. Diana Alarcon, Director of Parking and Fleet Services, proceeded to introduce the staff. She also thanked John Hoelzle, former Director of Parking and Fleet Services, for setting a foundation that would allow them to continue to improve.

**6. Outstanding City Employees
(PRES-06)**

John Malinda, Fire Rescue Operations Chief, recognized the following employees in connection with their service involving a massive structure fire at 1900 NW 21 Avenue:

Fire Lieutenant Greg A. Wilson, Driver/Engineer Joshua B. Wells, and Firefighter Gabriel R. Borrero of Engine 46. Fire Rescue Lieutenant Chad M. Robertson, Driver/Engineer Charles K. McGuire, and Firefighter Matthew P. Modafferi of Ladder 2. Firefighter Dustin D. Miller and Firefighter Dustin J. Royer of Rescue 46. Firefighter Dennis J. Abrams and Firefighter Brett A. Bean of Rescue 246.

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 – 22nd Annual Las Olas Art Fairs
Closing East Las Olas Boulevard and Neighborhood Streets****(M-01)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with the Las Olas Association, Inc. for the 22nd Annual Las Olas Art Fairs to be held on the following weekends: October 24-25, 2009, January 2-3, 2010 and March 6-7, 2010, 10 AM – 5 PM and closing East Las Olas Boulevard and neighborhood streets on event weekends.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0876

Event Agreement – 2009 National Lifeguard Championships**(M-02)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with the United States Lifesaving Association – Fort Lauderdale Chapter, Inc. for 2009 National Lifeguard Championships to be held August 6-8, 2009, 8 AM – 6 PM at Fort Lauderdale South Beach.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0918

Event Agreement – Saturday Nite Alive**(M-03)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Wizard Entertainment, Inc. for Saturday Nite Alive to be held on August 1, 8, 15 and 22, 2009, 7 PM – 11 PM in the Beach Improvement District along State Road A-1-A from Harbor Drive to Sunrise Boulevard, contingent upon City Attorney's Office receiving and approving an executed agreement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0987

Change Order 4 (Final) – Conquest Engineering (M-04)
Group Company – Area 4 Basin E – Credit (\$1,178,695.85)

Reduce encumbrance in Fund 482, Subfund 01, P10507.482-6599 by (\$1,178,695.85); EPO3273.

A motion authorizing: (1) Change Order 4 (Final) with Conquest Engineering Group Company in the net CREDIT amount of (\$1,178,695.85) – additional work and final quantity reconciliation – Sanitary Sewer and Water Main Improvements Area – 4 Basin E – Phase II – Project 10507E2; and (2) reduce encumbrance by (\$1,178,695.85).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0874

Change Order 8 (Final) – Asphalt Consultants, Inc. - (M-05)
Credit (\$755,336.14) – Wastewater Pump Stations, Sewer Line
And Forcemain – Riverland South

Reduce encumbrance in Fund 482, Subfund 01, P10832.482-6599 by (\$755,336.14); EPO3383.

A motion authorizing: (1) Change Order 8 (Final) with Asphalt Consultants, Inc. in the net CREDIT amount of (\$755,336.14) – final quantity reconciliation – Septic Area 2 East Basins A and C – Riverland South – wastewater pump stations, sewerline and forcemain – Project 10832; and (2) reduce encumbrance by (\$755,336.14).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0875

Amendment 3 To Work Authorization 16724.J5 – Keith and (M-06)
Schnars, P.A. - \$216,225 – SW 11 Avenue Swing Bridge
Rehabilitation

\$216,225 is available in P10057.331-6599, Fund 331, Subfund 01.

A motion authorizing the proper City Officials to execute Amendment 3 to Work Authorization 16724.J5 with Keith and Schnars, P.A. in the amount of \$216,225 – additional design and post design support services – SW 11 Avenue Swing Bridge Rehabilitation – Project 10057.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0907

Change Order 1 (Final) – Insituform Technologies, Inc. (M-07)
Wastewater Conveyance System – Sewer Basin B-14 -
Credit (\$471,800.50)

Reduce encumbrance in Fund 482, Subfund 01, P11272.482-6599 by (\$471,800.50); EPO3385.

A motion authorizing: (1) Change Order 1 (Final) with Insituform Technologies, Inc. in the net CREDIT amount of (\$471,800.50) – additional work and final quantity reconciliation – Wastewater Conveyance System – Sewer Basin B-14 – Project 11271; and (2) reduce encumbrance by (\$471,800.50).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0889

Change Order 2 – Insituform Technologies, Inc. - Credit (M-08)
(\$5,079.70) – Wastewater Conveyance System – Sewer Basin A-11 and
Annual Sewer Lining

Reduce encumbrance by (\$5,079.70) in Fund 482, Subfund 01, P11273.482-6599; EPO3382.

A motion authorizing: (1) Change Order 2 with Insituform Technologies, Inc., in the net CREDIT amount of (\$5,079.70) – additional work and quantity adjustments – Wastewater Conveyance System – Sewer Basin A-11 and Annual Sewer Lining – Project 11273; and (2) reduce encumbrance by (\$5,079.70).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0892

Task Order 16 – Post, Buckley, Schuh and Jernigan, Inc. - (M-09)
\$351,824.60 – Program – Project Management – Hurricanes
Katrina and Wilma

Transfer \$300,000 from P16055.125, Hurricane Damaged Ballfield Lighting to P16066.125 and \$51,824.60 is available in P16066.125 all in Fund 125, Subfund 01, Subobject 6599.

A motion authorizing the proper City Officials to: (1) execute Task Order 16 with Post, Buckley, Schuh and Jernigan, Inc. in not-to-exceed amount of \$351,824.60 – program and project management, engineering, architecture and other services relating to Hurricanes Katrina and Wilma; and (2) appropriate funds for this task order.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0906

Task Order 70 – Camp Dresser & McKee, Inc. - Lohmeyer Pre-Treatment Building – Parapet Wall Evaluation and Envelope Study - \$21,716 (M-10)

\$21,716 is available in P11340.451-6599, Fund 451, Subfund 02.

A motion authorizing the proper City Officials to execute Task Order 70 with Camp Dresser & McKee, Inc., in the amount of \$21,716 – engineering services associated with parapet wall evaluation and envelope study at Lohmeyer Regional Wastewater Plant Pre-Treatment Building – Project 11340.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0653

Task Order – Chen and Associates Consulting Engineers, Inc. - \$238,754.70 – State Road A-1-A Turtle Friendly Light Replacement (M-11)

Transfer \$119,377.35 from P11322.343, Beach Improvements Fund 343, Subfund 01 Subobject 6599 to P11498.343 A1A Transit Improvements Fund 343, Subfund 01, Subobject 6599 and \$119,377.35 will be available in P11498.106 A1A Transit Improvements Fund 106, Subfund 10, Subobject 6599 contingent upon CRA approval of funds transfer request from P11322.106, Fund 106, Subfund 10, Beach Improvements on the June 16, 2009 CRA Board Agenda Memo 09-059 (Exhibit 3).

A motion authorizing the proper City Officials to: (1) execute Task Order with Chen and Associates Consulting Engineers, Inc., in the amount of \$238,754.70 – design of State Road A-1-A Light Replacement Project – Turtle Compliant Fixtures as part of A-1-A Seabreeze Boulevard Transit Improvements – Project 11498; and (2) transfer funds to fund this task order; all contingent upon Community Redevelopment Agency approval of funds transfer to project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0852

Amendment 8 To Task Order 8 – Camp Dresser & McKee, Inc. - \$40,799 – Wastewater Repump Stations A, B and E Rehabilitation (M-12)

Transfer \$58,278.95 from P10550.451-6599; GT Lohmeyer Clarifiers R&M/Rebuild/Repl to P10537.451-6599 both in Fund 451, Subfund 02, to fund the Task Order, 12 percent WaterWorks 2011 fees and the current \$12,278.95 deficit in the project.

A motion authorizing the proper City Officials to: (1) execute Amendment 8 to Task Order 8 with Camp Dresser & McKee, Inc., in the amount of \$40,799 – additional construction services associated with Wastewater Repump Stations A, B and E Rehabilitation – Project 10537; and (2) transfer funds to fund this amendment, 12 percent estimated WaterWorks 2011 fees and eliminate deficit in the project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0901

Amendment 1 – Task Order 45 – Camp Dresser & McKee, Inc. - (M-13)
\$73,881 – Public Address System, Liquid Oxygen and Concrete
Improvements

Transfer \$84,787.03 from P10550.451-6599; GT Lohmeyer Clarifiers R&M/Rebuild/Repl to P10767.451-6599; both in Fund 451, Subfund 02, to fund the Amendment, 12 percent estimated WaterWorks 2011 fees and the current \$2,040.31 deficit in the project.

A motion authorizing the proper City Officials to: (1) execute Amendment 1 to Task Order 45 with Camp Dresser & McKee, Inc. – in the amount of \$73,881 – additional design and permitting services associated with Lohmeyer Wastewater Treatment Plant – Public Address System, Liquid Oxygen and Concrete Improvements – Project 10553C; and (2) transfer funds to fund this amendment, 12 percent estimated WaterWorks 2011 fees and eliminate deficit in the project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0897

Contract Award – Palm Beach Building Group, Inc. - \$63,844 (M-14)
Golden Heights – Neighborhood Capital Improvement Program

Please see the funding information provided on the Bid Tab attached.

A motion authorizing the proper City Officials to award and execute contract with Palm Beach Building Group, Inc. in the amount of \$63,844 – installation of decorative street posts and signs – Golden Heights Homeowners Association, Inc. – Neighborhood Capital Improvement Program – Project 11380.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0925

Contract Award – B.K. Marine Construction, Inc. - \$318,245 (M-15)
Seawall Replacement – Broward Center For The Performing Arts

Please see the funding information provided on the Bid Tab attached.

A motion authorizing the proper City Officials to award and execute contract with B.K. Marine Construction, Inc. in the amount of \$318,245, plus \$91,336.32 – engineering fees and contingencies – Seawall Replacement – Broward Center for the Performing Arts – Project 11114.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0934

Contract Award – Palm Beach Marine Construction, Inc. - (M-16)
\$131,700 – Annual Ocean Regulatory Buoys and Navigational Signs

Please see the funding information provided on the Bid Tab attached.

A motion authorizing the proper City Officials to: (1) award and execute a contract with Palm Beach Marine Construction, Inc. in the amount of \$131,700 – 2009-2010 Annual Ocean Regulatory Buoys and Navigational Signs Replacement and Repair Contract – Project 11457, plus \$37,797.90 for engineering fees and contingencies; and (2) transfer funds.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0935

Transfer Funds Between Police Department Capital (M-17)
Improvement Projects – New Exterior Wall At Police Headquarters

Transfer \$130,000.00 from P11208.331-6599, Police HQ Ceiling Panels/Air Vent Replacement to P11494.331-6599, all in Fund 331, Subfund 01.

A motion authorizing transfer of funds between two Police Department Capital Improvement Program projects to allow for construction of a new exterior wall at Police Headquarters – Project 11494.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0887

Amend Operating Budget – Transfer - \$451,200 (M-18)
Neighborhood and Business Capital Improvement Program

Transfer \$451,200 from the General Fund CIP Holding Account P11236.331 Fund 331, Subfund 01 to the Projects in Exhibit 1 and transfer \$90,000 from the General Fund CIP Holding Account P11236.331-6598 Fund 331, Subfund 01 to the Projects in Exhibit 2.

A motion authorizing the proper City Officials to transfer \$451,200 to approved 2009 Neighborhood and Business Capital Improvement grant projects.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0927

Transfer – Advertising, Permits and Printing Prior To Bid - (M-19)
\$35,000 – Bridge Projects – SE 15 Avenue and Harborage Parkway

Transfer \$35,000 from P10753.331-6599, Infrastructure Recap as follows: Transfer \$23,000 to P10737.331-6599. Replacement of two bridges at SE 15th Avenue and \$12,000 to P10742.331-6599, Bridge Replacement at Harborage Parkway, all in Fund 331, Subfund 01.

A motion authorizing transfer of \$35,000 for costs incurred prior to formal bidding of three bridge projects at SE 15 Avenue and Marchette River and SE 15 Avenue and Carletta River – Project 10737 and at Harborage Parkway – Project 10742.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0951

Private Mausoleum Sites – Lauderdale Memorial Park (M-20)

No budgetary impact.

A motion approving the location of seven private mausoleum estate sites at Lauderdale Memorial Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0404

Fuel Barge Operations On New River – Peterson Fuel (M-21)
Delivery – Sixty-Day Extension

No budgetary impact.

A motion authorizing a sixty-day extension to September 3, 2009 to Peterson Fuel Delivery – fuel barge operations on New River.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0983

Grant Application – 2009 Edward Byrne Memorial Justice Assistance Grant – U.S. Department of Justice - \$161,263 (M-22)

No current year budgetary impact. The grant does not require a cash match.

A motion authorizing the proper City Officials to apply for grant funds in the amount of \$161,263 from the U.S. Department of Justice – 2009 Edward Byrne Memorial Justice Assistance Grant Program..

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0880

Settlement of General Liability File – GL08-129C - \$30,000 (M-23)

Funds are budgeted in Fund 543/01, INS010101-5113 (General Liability Claims). There are sufficient funds to cover the amount of \$30,000.

A motion authorizing settlement of General Liability File GL08-129C (Ida Gordon) - \$30,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0888

Grant Application – 2009 Fire Station Construction Grant Program - \$15,000,000 – Federal Emergency Management Agency (M-24)

No current year budgetary impact. Grant does not require a cash match.

A motion authorizing the proper City Officials to apply for grant funds in an amount up to \$15,000,000 from U.S. Department of Homeland Security, Federal Emergency Management Agency – American Recovery and Reinvestment Act – 2009 Fire Station Construction Grant Program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0923

Grant Application – Climate Showcase Communities Grant Environmental Protection Agency – Reduce Greenhouse Gas Emissions (M-25)

No budgetary impact for application.

A motion authorizing the proper City Officials to apply for grant funds – Environmental Protection Agency – sustainability 50/50 match grant – projects to reduce greenhouse gas emissions – Climate Showcase Communities Grant.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0

Fort Lauderdale Historical Society Sublease – Servicesnap, Inc. (M-26)
Philemon Bryan House – 227 SW 2 Avenue

No budgetary impact.

A motion consenting to Fort Lauderdale Historical Society subleasing the Philemon Bryan House to Servicesnap, Inc. d/b/a The Advertising Department, Inc. – 227 SW 2 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0924

Business F1rst Fort Lauderdale – Business Retention and Expansion (M-27)
Program – Greater Fort Lauderdale Chamber of Commerce - \$30,250

Fund 001, Subfund 01, EDV010101-3199, Other Professional Services - \$30,250.

A motion approving an agreement with Greater Fort Lauderdale Chamber of Commerce for business retention and expansion program – Business First Fort Lauderdale - \$30,250.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0947

CONSENT RESOLUTION

Resource Recovery Board Recycling Grant - (CR-01)
Acceptance of Additional Funds – Purchase
Victor Stanley Recycling Containers

Appropriate \$7,500 of grant funding to GWASTE09 Revenue Subobject F303 and expenditure Subobject 3943, Fund 409, Subfund 03. The \$7,968 container purchase will be funded as follows: \$7,500 from GWASTE09-3943, Fund 409, Subfund 09, and \$468 from PBS090601-3943, Fund 409, Subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0915

RESOLUTION NO. 09-162

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE

PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE RESOURCE RECOVERY BOARD OF BROWARD COUNTY AND THE CITY OF FORT LAUDERDALE AND 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 PURSUANT TO SAID AMENDMENT IN THE AMOUNT OF \$7,500 TRANSFERRING-IN TO GWASTE09 REVENUE, SUBOBJECT F303 AND EXPENDITURE SUBOBJECT 3943, FUND 409, SUBFUND 03 AND APPROPRIATING \$468 FROM PBS090601-3943, FUND 409, SUBFUND 01 FOR THE PURCHASE OF EIGHT RECYCLING CONTAINERS.

Amend Operating Budget – Appropriation \$1,500 (CR-02)
Community Appearance Board Annual Awards Event

Appropriate \$1,500 from G/L Subsidiary Account 219-450110, Fund 001, Subfund 01 to Revenue in PBS070101-N983 Fund 001 Subfund 01 and expense to Subobject 3243.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0896

RESOLUTION NO. 09-163

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, 2008 AND ENDING SEPTEMBER 30, 2009 BY APPROPRIATING \$1,500 FROM THE COMMUNITY APPEARANCE BOARD (“CAB”) SUBSIDIARY ACCOUNT TO THE CAB OPERATING BUDGET.

Termination of Public Parking Easement – 5000 North Federal (CR-03)
LLC – Federal Highway and Commercial Boulevard

No Budgetary Impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0917

RESOLUTION NO. 09-164

A RESOLUTION OF THE CITY COMMISSION OF THE CITY

OF FORT LAUDERDALE, FLORIDA, TERMINATING, VACATING AND ABANDONING THAT PUBLIC PARKING EASEMENT CONVEYED TO THE CITY OF FORT LAUDERDALE BY EASEMENT DEED DATED DECEMBER 20, 1963 AND RECORDED AT OFFICIAL RECORDS BOOK 3104, PAGE 986 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID PUBLIC PARKING EASEMENT BEING GENERALLY LOCATED ON THE NORTH SIDE OF EAST COMMERCIAL BOULEVARD BETWEEN NORTH FEDERAL HIGHWAY AND N.E. 24TH TERRACE AND BEING MORE PARTICULARLY DESCRIBED BELOW, SUBJECT TO CERTAIN TERMS AND CONDITIONS.

**Resource Recovery Board Recycling Grant - Acceptance (CR-04)
Of Additional Funds – Recycling Receptacles – Mills Pond
Park - \$5,500**

Appropriate additional \$5,500 of grant funds to Fund 129, Subfund 01, GRECYCLE09, F303, Rev & Exp to GRECYCLE09 3943, Sanitation certs. No cash match.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0963

RESOLUTION NO. 09-165

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF ADDITIONAL GRANT FUNDS IN THE AMOUNT OF \$5,500 FROM THE BROWARD COUNTY RESOURCE RECOVERY BOARD FOR RECYCLING RECEPTACLES AT MILLS POND PARK; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO RECEIVE SUCH GRANT FUNDS; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS TO FUND 129.

Renaming Melrose Park – Shirley Small Community Park (CR-05)

\$700 is budgeted in PKR061601-3999 Other Supplies, GF001, Subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0801

RESOLUTION NO. 09-166

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING THAT "MELROSE PARK" BE RENAMED "SHIRLEY SMALL COMMUNITY PARK."

Change Order 2 – Southern Florida Paving Group, LLC (CR-06)
Speed Hump Replacement Installations - \$11,295.00

Appropriate \$12,650.40 from P11197.454-6599, Fund 454, Subfund 01, Water and Sewer Fund Recap to P11450.331-6599, Fund 331, Subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0828

RESOLUTION NO. 09-167

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009, BY TRANSFERRING AND APPROPRIATING \$12,650.40 FROM FUND 454 TO FUND 331 FOR CHANGE ORDER 2 WITH SOUTHERN FLORIDA PAVING GROUP, LLC FOR THE REPLACEMENT OF SPEED HUMPS REMOVED DURING WATERWORKS 2011 ON SW 20 STREET BETWEEN SW 10 AVENUE AND COCONUT DRIVE.

Amend Operating Budget – Appropriation - \$23,775 (CR-07)
Vehicle Purchase – Current Model Year Chevrolet Tahoe
Police Package

Appropriate \$23,775 from Fund 129, Subfund 01, GHWAY09, 6416, to Fund 583, Subfund 01, PAR030101, 6416 to Fund CAR 09-0818.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0817

RESOLUTION NO. 09-168

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 \$23,775 FROM FUND 129, SUBFUND 01, GHWAY09, 6416 TO FUND 583 SUBFUND 01, PAR030101, 6416 FOR THE PURCHASE OF A CURRENT MODEL YEAR CHEVROLET TAHOE POLICE PACKAGE VEHICLE.

**Renewal of Employment Contracts – City Attorney and
City Auditor**

(CR-08)

A resolution approving addendums to employment contracts for Harry A. Stewart, City Attorney and John C. Herbst, City Auditor.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0978

PURCHASING AGENDA

**Change Order 1 – Landscape and Architectural Services
Jack and Harriet Kaye Park Fountain**

(PUR-01)

\$11,100 is budgeted in Fund 331, Subfund 01, 6599, Project P11014.331.

Change Order 1 – landscape and architectural services for Jack and Harriet Kaye Park Fountain is being presented by the Public Works Department.

Recommend: Motion to approve.

Vendor: Kimley-Horn and Associates, Inc.
Cary, NC

Amount: \$11,100.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 09-0264

The Procurement Services Department has reviewed this item and recommends approval of Change Order No. 1.

493-10281 – Pipe Restrainer Assemblies

(PUR-02)

Purchases are made on an as-needed basis and charged to the individual operating budgets per available funds and in accordance with established pricing. Fund for these purchases are budgeted in PBS704135-5401, Fund 450, Subfund 01. The current budget is \$125,260 for these types of purchases.

One-year contract for purchase of pipe restrainer assemblies is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Marine Supply of Florida, LLC
Sanford, FL

Amount: Per Unit Prices

Bids Solicited/Rec'd: 312/4

Exhibit: Commission Agenda Report 09-0898

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

695-10229 – Solid Waste Consultant Services

(PUR-03)

No current year budgetary impact.

Three-year contract for the purchase of solid waste consultant services is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Kessler Consulting, Inc.
Tampa, FL

Amount: Per Unit Prices

Bids Solicited/Rec'd: 609/14

Exhibit: Commission Agenda Report 09-0903

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

493-10285 – Press Belts (Screens) – Lohmeyer Wastewater Treatment Plant

(PUR-04)

\$44,960 is budgeted in Fund 451, Subfund 01, PBS670502, 3404.

One-year contract for the purchase of press belts (screens) at Lohmeyer Wastewater Treatment Plant is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: National Filter Media Corporation
Winthrop, MA

Amount: \$44,960.00 (estimated)

Bids Solicited/Rec'd: 550/11

Exhibit: Commission Agenda Report 09-0910

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

Vehicle – Equipment Replacements
Florida Sheriff’s Association Contract and Bid Award 582-10242

(PUR-05)

\$590,967.06 is budgeted in Fund 583, Subfund 01, PAR030101-6416.

Purchase eighteen vehicles – equipment replacements as identified in 2008-2009 Fleet Plan and approved in 2008-2009 Fleet Services Capital Budget is being presented for approval by Parking and Fleet Services.

Recommend: Motion to approve.
Vendor: Various (See Attached)
Amount: \$590,967.06
Bids Solicited/Rec’d: N/A
Exhibit: Commission Agenda Report 09-0816

The Procurement Services Department has reviewed this item and recommends award from the Florida Sheriff’s Association contract, the State of Florida contract, and Bid Award 582-10242.

Vehicle Addition To The Fleet
Current Model Year Chevrolet Tahoe Police Package

(PUR-06)

Funding of \$23,775 will be available in Fund 583, Subfund 01, PAR030101, 6416 after the approval of CAR 09-0817 Fund Appropriation.

Purchase one current model year Chevrolet Tahoe Police Package vehicle addition to the fleet is being presented by Parking and Fleet Services Department.

Recommend: Motion to approve.
Vendor: Classic Chevrolet Co.
 Winter Park, FL
Amount: \$23,775.00
Bids Solicited/Rec’d: N/A
Exhibit: Commission Agenda Report 09-0818

The Procurement Services Department has reviewed this item and recommends approval of purchase from the Florida Sheriff’s Association contract.

One Mercury Sable – Purchase Order Assignment
Florida Sheriff’s Association Contract

(PUR-07)

\$18,627 is budgeted in Fund 583, Subfund 01, PAR030101, 6416.

Assignment of purchase order for one Mercury Sable vehicle – Florida Sheriff’s Association contract – is being presented by Parking and Fleet Services.

Recommend: Motion to approve.

Vendor: Hub City Ford-Mercury, Inc.
Crestview, FL

Amount: \$18,627.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 09-0916

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

Contract Renewals – October, November, December 2009 (MD-03)

Mayor Seiler advised that Contract #5629559-1 has been removed from the contract renewals by the City Manager.

Property Conveyance – Northwest Neighborhood Improvement District – Infill Housing Program – 838 NW 12 Avenue (PH-02)

Mayor Seiler announced at the conference meeting it was decided this item would be deferred to July 21, 2009.

Mayor Seiler announced that some conference items would also be addressed this evening, and completion of the closed door session will be held at the end of this meeting in the 8th floor conference room.

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

Motion made by Commissioner Rodstrom and seconded by Commissioner DuBose that Consent Agenda Items M-03, M-06, M-11, M-16, M-20, CR-05, CR-07, CR-08, PUR-01, PUR-05, PUR-06, and PUR-07 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 DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Event Agreement – Saturday Nite Alive (M-03)

Commissioner Rodstrom asked whether Beach Business Improvement District (BID) funds could be used in the future for fireworks. She wanted staff to look into this possibility. Stephen Scott, Director of Economic Development, indicated that would be something the BID advisory committee would vote on and it would ultimately come before the Commission.

Commissioner Rogers was interested in making use of the Sun Trolley system to avoid cars at the beach. He requested this be investigated and brought to some fruition. Mr. Scott indicated that staff is working with Sun Trolley. The City Attorney explained the

liability that would be incurred; the City is self-insured. Mr. Scott added that the City has advertised to the public about available parking at the City Park Garage and transportation to the beach.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Roberts to approve this Item as presented. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Amendment 3 To Work Authorization 16724.J5 – Keith and Schnars, P.A. - \$216,225 – SW 11 Avenue Swing Bridge Rehabilitation (M-06)

In response to Commissioner Rodstrom, Albert Carbon, Public Works Director, advised that this bridge is being replaced. He outlined the contract history with respect to the design work. This item pertains to design services during construction. The fee was negotiated down significantly. He also outlined the funding, including an historic grant. This is the only bridge the Commission decided to go forward with. Next year, staff will propose other bridges in the Capital Improvement Plan. Commissioner Rogers noted this was in the \$15 million.

Mayor Seiler asked about staff pursuing grant funding. Mr. Carbon referred to the Mayor's letter to Congress. No additional monies for transportation from the stimulus package have been released over and above what was channeled through the Metropolitan Planning Organization where the City lost out. Assistant To The City Manager Kathleen Gunn continues to monitor grants and stimulus money.

Motion made by Commissioner Rogers and seconded by Vice Mayor Roberts to approve the item as amended. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: Commissioner Rodstrom.

Task Order – Chen and Associates Consulting Engineers, Inc. - \$238,754.70 – State Road A-1-A Turtle Friendly Light Replacement (M-11)

In response to Commissioner Rodstrom, Don Morris, Beach Community Redevelopment Agency Director, explained that half of the funding would come from the Beach CRA and the other half from the general fund.

Commissioner Rodstrom asked about the possibility of updating the design if technology changes. Earl Prizlee, Engineering Design Manager, indicated that Fish and Wildlife have approved a fixture, but if staff discovers any new technology it would be looked at.

Commissioner Rodstrom questioned if this could wait until after the budget discussion. Mr. Morris stated the design will take about three months; it could be postponed. If possible, Commissioner Rogers also wanted to wait. Mr. Morris indicated that the Florida Department of Transportation (FDOT) funds have to be expended by June, 2011. The matter could be postponed, but it would tighten the construction schedule. Albert Carbon, Public Works Director, clarified that these are CRA and Beach Improvement Construction Fund, not general fund. There is an FDOT grant for construction. He further stated they are constricting themselves regarding construction. There are many constrictions on the

construction timeframe, such as the boat show, air and sea show, beach music festival or turtle season. In other words, there is only two opportunities to get the construction done.

Commissioner DuBose asked about the implications of priorities changing. Mr. Carbon recommended this matter be deferred to July 21, 2009 when there is a Capital Improvement Plan discussion.

Mayor Seiler suggested staff meet with the Commission individually and provide the construction schedule.

This item was deferred to July 21, 2009.

Contract Award – Palm Beach Marine Construction, Inc. - (M-16)
\$131,700 – Annual Ocean Regulatory Buoys and Navigational Signs

In response to Commissioner Rodstrom, Albert Carbon, Public Works Director, advised that staff has not yet researched other funding sources. He offered to contact the Convention and Visitors Bureau as to funding for next year.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Roberts to approve the item as presented. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Private Mausoleum Sites – Lauderdale Memorial Park (M-20)

In response to Commissioner Rodstrom, Cate McCaffrey, Director of Business Enterprises, indicated the location of the proposed mausoleums. John Banis, Carriage Funeral Services, stated the height of the mausoleums are restricted by the cemetery rules and regulations to fifteen feet in any direction. There is no buffering wall or hedge.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Roberts to approve the item as presented. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Renaming Melrose Park – Shirley Small Community Park (CR-05)

Commissioner Rodstrom provided some history about Melrose Park and Ms. Small's contributions. She was honored to be able to name this in her honor. Commissioner DuBose agreed this is a small token of thanks for what Ms. Small has done for District III and the community. Mayor Seiler commented on her dedication.

Motion made by Commissioner Rodstrom and seconded by Commissioner DuBose to approve the item as presented. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

**Amend Operating Budget – Appropriation - \$23,775 -
Vehicle Purchase – Current Model Year Chevrolet
Tahoe Police Package**

(CR-07)

In response to Commissioner Rodstrom, Frank Adderley, Police Chief, stated that an existing police officer will utilize this vehicle on his regular shift and for other techniques in connection with a grant. It should not take the officer away from regular duties.

Motion made by Vice Mayor Roberts and seconded by Commissioner DuBose to approve the item as presented. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Renewal of Employment Contracts – City Attorney and City Auditor

(CR-08)

Commissioner DuBose asked if this matter could be deferred to July 21, 2009 so that he would have an opportunity to review the contracts.

Mayor Seiler pointed out that there are no increases.

In response to Commissioner Rodstrom as to why copies of the contracts were not provided, the City Attorney stated that the contracts have been in place for three years. The change has to do with the term. All commissioners were notified and there were no questions.

**Change Order 1 – Landscape and Architectural Services
Jack and Harriet Kaye Park Fountain**

(PUR-01)

Commissioner Rodstrom questioned why these services are needed and what has transpired. Albert Carbon, Public Works Director, explained the original intent was to do a design – build. He explained why it was modified to a design – bid – build. This matter was approved in 2007-2008 Capital Improvement Program, therefore staff would like to move forward with the project. The community has been waiting. The current fountain is presently non-operational; it will be removed and replaced.

Vice Mayor Roberts noted this project is \$11,000 and has been in the works since 2007. He wanted to see it completed.

Motion made by Vice Mayor Roberts and seconded by Commissioner Rodstrom to approve the item as presented. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: Commissioner Rodstrom.

**Vehicle – Equipment Replacements – Florida Sheriff’s Association
Contract and Bid Award 582-10242**

(PUR-05)

Commissioner Rodstrom opposed expending money on new vehicles at this time. She mentioned the ATV vehicles as well as fuel costs for utility vehicles driven by parking enforcement staff. Diana Alarcon, Director of Parking and Fleet Services, explained

maintenance aspects of the ATVs and that their life cycle has been changed to one year because of exposure to the sea elements. Staff has looked for an alternative that would have more endurance. If anything is found, it would be brought forward.

Commissioner Rogers looked at information in the backup concerning maintenance history and questioned vehicles/equipment identified in the backup as V4925, V5384 and 5401 being recommended for replacement. Ms. Alarcon provided the reasoning for the recommendation and mentioned there are constant breakdowns that require the equipment to be brought in for maintenance are not reflected on the chart. This is typically where you see more consistent breakdowns in lawn mowers over a period of time. Item V4925 is for a new piece of equipment that will enable staff to perform more efficiently. The existing equipment did not have sufficient power. She provided some insight into the approval process on the part of the Director of Parking and Fleet Services. Ms. Alarcon responded to the Mayor's question, indicating there are twelve of these pieces of equipment. Mayor Seiler felt Commissioner Rogers is correct with respect to the maintenance history being under the monthly budgeted amount. He suggested V4925, V5384 and V5401 be deferred to July 21, 2009, and more backup be provided.

Motion made by Commissioner DuBose and seconded by Commissioner Rogers to approve the item as presented except items V4925, V5384 and V5401. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: Commissioner Rodstrom.

**Vehicle Addition To The Fleet – Current Model
Year Chevrolet Tahoe Police Package**

(PUR-06)

Commissioner Rodstrom referred to her previous discussion that clarified this is for an existing employee and there is no overtime. (See CR-07)

Motion made by Commissioner Rodstrom and seconded by Commissioner DuBose to approve the item as presented.

Mayor Seiler was concerned that vehicles being purchased are from outside of Broward County. He wanted to use a Broward based dealership. Kirk Buffington, Director of Procurement Services, explained what staff has been doing along those lines. There will be eight vehicles on the next agenda reflective of the change. Mayor Seiler asked and Mr. Buffington confirmed that all Broward dealerships were notified.

Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

**One Mercury Sable – Purchase Order Assignment
Florida Sheriff's Association Contract**

(PUR-07)

Commissioner Rodstrom referred to Mayor Seiler's comments about use of local vendors. She was not in support of this item.

Motion made by Commissioner DuBose and seconded by Commissioner Rodstrom to approve the item as presented. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: Commissioner Rodstrom.

The regular meeting recessed at approximately 7:28 p.m. and reconvened at approximately 7:45 p.m. with Agenda Item MD-01.

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| MOTIONS |
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182-9955 – Computer Search Services – Contract Assignment - Police Investigations and Background Checks **(MD-01)**

No budgetary impact.

Assignment of existing contract to purchase specialized computer search services – police investigations and background checks is being presented for approval by the Procurement Services Department.

Recommend: Motion to approve.

Vendor: West Publishing Corporation
Eagan, MN

Bids Solicited/Rec'd: 1264/3

Exhibit: Commission Agenda Report 09-0902

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

Motion made by Commissioner Rodstrom and seconded by Commissioner Rogers to approve the item as presented. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Proprietary – E-Procurement Software Maintenance **(MD-02)**

\$20,000 will be budgeted in Fund 001, Subfund 01, PMM010101, 3299 subject to the appropriation and approval of the FY 09/10 budget.

One-year agreement to provide E-Procurement web provider software maintenance is being presented for approval by the Procurement Services Department.

Recommend: Motion to approve.

Vendor: RFP Depot, LLC
American Fork, UT

Amount: \$20,000.00

Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 09-0905

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

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Roberts to approve the item as presented.

In response to Commissioner Rodstrom, Kirk Buffington, Director of Procurement Services, advised that these types of vendors are not located in Broward County.

Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Contract Renewals – October, November, December 2009 (MD-03)

Funds associated with this item are attached.

A motion authorizing extension of listed contracts that expire during October through December 2009, including contracts from September 2009, and authorizing proper City Officials to execute all necessary documents, contingent upon each respective vendor agreeing to extension.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0912

Kirk Buffington, Director of Procurement Services responded to Mayor Seiler's question as to how the City knows whether better pricing is available when a contract is extended, explaining the process followed. As a result of the City Auditor's audit of Procurement Services, the decision was made to limit term contracts to four years although there will be some exceptions. He commented that the City endeavors to develop a relationship with contractors because of the learning curve that would be required for a new contractor. The learning curve must be weighed into the equation. In further response, Mr. Buffington noted that engineering contracting services are continuing contracts that have allowable extensions within the original contract term. Architectural services are also continuing contracts. They will not exceed five years.

Motion made by Commissioner Rodstrom and seconded by Commissioner Rogers to approve the item as presented excluding Contract 5629559-1.

Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Proprietary – Purchase Disk-Based Backup Device - Network Servers (MD-04)

\$23,364 is budgeted in Fund 001, Subfund 01 ITS010301, 6404.

Purchase refurbished disk-based backup appliance for network servers is being presented for approval by the Information Technology Services Department.

Recommend: Motion to approve.

Vendor: Exagrid Systems, Inc.
Westborough, MA

Amount: \$23,364.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 09-0929

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

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Roberts to approve the item as presented. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Proprietary - Westlaw Legal Research Services

(MD-05)

Funds are budgeted in CFY and NFY in the Fund 001, Subfund 01, ATT010101, for Westlaw services in Subobject 3199 and purchase of books in 3904. The contract is for a 3-year term: 1st year is \$27,504 subject to a 4% maximum annual cumulative increase for years 2 and 3, in the estimated amounts of \$28,604 and \$29,748, respectively, for an estimated total of \$85,856. Books are discounted at 50% for an annual amount of \$463.50 and a 3-year total of \$1,390.50.

Three-year contract with West (West Publishing Corporation, Thomson Reuters Applications Inc., West Services Inc., Thomson Reuters (Legal) Inc., and their affiliates) for legal publications and Westlaw on-line legal research services is being presented for approval by the City Attorney's Office.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0426

In response to Commissioner Rogers, the City Attorney clarified that Westlaw will provide a 25% discount for twelve users, plus books at 50% discount. He looked at Lexis Nexis as well as another source. He explained why Westlaw was selected.

In response to Mayor Seiler, the City Attorney noted some use is per transaction, but most is unlimited. This cost has not been recovered in the past. Westlaw is not normally used for code cases.

Motion made by Commissioner Rodstrom and seconded by Commissioner DuBose to approve the item as presented. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

RESOLUTIONS

Dock Permit Application – Anthony and Josephine Orcinolo (R-01)
2500 Hibiscus Place

No budgetary impact.

Applicant: Anthony and Josephine Orcinolo
Location: 2500 Hibiscus Place

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 09-158

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING, PURSUANT TO SECTION 8-144 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PERMITTING THE USE AND MAINTENANCE OF A 20’ L X 5’ W FINGER PIER AND TWO MOORING PILINGS EXTENDING 20’ AND 25’, RESPECTIVELY, FROM THE ADJOINING SEAWALL ON PUBLIC PROPERTY BY ANTHONY ORCINOLO AND JOSEPHINE ORCINOLA SAID FINGER PIER, MOORING PILINGS AND SEAWALL LOCATED ON PUBLIC PROPERTY ABUTTING SUNSET LAKE NORTHWEST OF ORCINOLA RESIDENCE AT 2500 HIBISCUS PLACE, THE LEGAL DESCRIPTION OF WHICH IS MORE PARTICULARLY DESCRIBED BELOW, UNDER CERTAIN TERMS AND CONDITIONS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Appeal – Historic Preservation Board – Case 11-H-08 (R-02)
Demolition – 716 SW 4 Place – Sailboat Bend Historic District

No budgetary impact.

Appeal: City of Fort Lauderdale
Location: 716 SW 4 Place
Zoning: Residential Single-Family Low Medium Density RS-8

The City Attorney advised that notice was received that a bankruptcy has been filed in this matter, which according to federal law, stays all proceedings. There had been a previous bankruptcy in this same family which the City was not aware of while these proceedings were going on and therefore did not request the Commission to stay them. The bank had requested that this property be removed from that bankruptcy by the time the City found

out about it. Unless that happens again, he recommended that this matter be deferred indefinitely. It will be brought back when possible.

Motion made by Commissioner Rogers and seconded by Vice Mayor Roberts to defer this matter indefinitely. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Site Plan With Allocation of Post 2003 Residential Dwelling Units – Multi-Family Development – 520 North Andrews Avenue – Case 24-R-08

(R-03)

No budgetary impacts.

Applicant: Andrews Avenue Village, LLC
Location: 520 North Andrews Avenue
Zoning: Regional Activity Center – Urban Village RAC-UV
Future Land Use: Downtown Regional Activity Center

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 09-159

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PLAN INCLUDING ALLOCATION OIF POST 2003 DWELLING UNITS TO DEVELOP A MULTI-FAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 520 NORTH ANDREWS AVENUE, FORT LAUDERDALE, FLORIDA IN A RAC-UV ZONING DISTRICT.

Which resolution was read by title only.

Vice Mayor Roberts and Commissioner Rodstrom announced with whom he or she had spoken with and site visits made concerning this matter.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Stranahan High School Plat – 1800 SW 5 Place School Board of Broward County – Case 3-P-09

(R-04)

No Budgetary Impacts.

Applicant: School Board of Broward County
Location: 1800 SW 5 Place
Zoning: Community Facilities CF
Future Land Use: Community Facilities

In response to Commissioner Rogers, Greg Brewton, Director of Planning and Zoning, advised that the Planning & Zoning Board recommended approval subject to a traffic study being submitted with the site plan. Commissioner Rogers wanted that to be noted. The City Attorney indicated that this condition could be included.

Motion was made by Commissioner Rogers and seconded by Commissioner Rodstrom to amend the resolution to include a condition that approval is subject to submittal of a traffic study with the site plan.

Commissioner Rogers introduced the following amended resolution:

RESOLUTION NO. 09-160

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT KNOWN AS "STRANAHAN HIGH SCHOOL PLAT."

Which resolution was read by title only. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Board and Committee Appointments

(R-05)

No budgetary impact.

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

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|---------------------------------------|--|
| Affordable Housing Advisory Committee | Jim Jordan (Banking or Mortgage Industry) William Isenberg (For-Profit Provider) Greg Stuart (Local Planning Agency) Margie Alexander (Resides within jurisdiction) |
| Aviation Advisory Board | Jackie Kaht Bruce Larkin Debora Van Valkenburgh |
| Centennial Celebration Committee | Arthur Crispino Claire Crawford Ryan Saunders Susan Massey McClellan Ina Lee |
| Charter Revision Board | Mark E. Ketcham Maria Del Rosario Lescano |
| Community Appearance Board | Bruce H. Johnson |
| Community Services Board | Erika L. Baer Wendy Gonsler |

Marine Advisory Board

Tish Flavin

Utility Advisory Committee

Maria Canady

Vice Mayor Roberts introduced a written resolution entitled:

RESOLUTION NO. 09-161

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.

Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

PUBLIC HEARINGS

Rezoning To Exclusive Use Parking Lot With Site Plan and Flex Allocation – Carlisle Retail – Case 1-ZR-09

(PH-01)

No budgetary impact.

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| Applicant: | Edward L. Carlisle, III |
| Location: | 1901 South Federal Highway |
| Current Zoning: | Boulevard Business B-1, Residential Multi-Family Mid-Rise Medium High Density RMM-25, Residential Office RO |
| Proposed Zoning: | Exclusive Use Parking Lot XP |
| Future Land Use: | Commercial and Medium-High Residential |
| Exhibit: | Commission Agenda Report 09-0831 |

ALL INDIVIDUALS WISHING TO SPEAK MUST BE SWORN IN.

Vice Mayor Roberts, Commissioner Rodstrom and Commissioner Rogers announced with whom he or she had spoken with concerning this matter.

There being no one wishing to speak, a **motion** made by Commissioner Rogers and seconded by Commissioner Rodstrom to close the public hearing. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Commissioner Rogers introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-09-20

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

TO XP WITH COMMERCIAL FLEX ALLOCATION AND AN APPROVED DEVELOPMENT PLAN, LOTS 5 AND 6, BLOCK 61, "CROISSANT PARK," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND TO REZONE FROM RMM-25 TO XP WITH COMMERCIAL FLEX ALLOCATION AND AN APPROVED DEVELOPMENT PLAN, LOT 4, LESS THE SOUTHERLY 25 FEET THEREOF, IN SAID BLOCK 61, LOCATED BETWEEN SOUTHEAST 19TH AND SOUTHEAST 20TH STREETS, WEST OF FEDERAL HIGHWAY AND EAST OF SOUTHEAST 4TH AVENUE, 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 DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Property Conveyance – Northwest Neighborhood Improvement District – Infill Housing Program – 638 NW 12 Avenue (PH-02)

No budgetary impact.

Conveyance of public property to Northwest Neighborhood Improvement District – construction of home- income eligible first time homebuyer – Infill Housing Program – 638 NW 12 Avenue.

Exhibit: Commission Agenda Report 09-0861

This item was deferred to July 21, 2009. (see conference meeting)

2009-2010 HUD Annual Action Plan – Grant Funding - CDBG, HOME, ESG and HOPWA Programs (PH-03)

No current year budgetary impact.

2009-2010 HUD Annual Action Plan and funding requests: Community Development Block Grant, HOME Investment Partnership, Emergency Shelter Grant and Housing Opportunities for Person with HIV/AIDS; extend timeframe for expenditure of funds to time project/activity completed; approve all non-profit subrecipients and authorize proper City Officials to execute all necessary documents.;

Exhibit: Commission Agenda Report 09-0885

Mary Riedel, President, President and CEO of Women in Distress, noted that Women in Distress has historically received funding through the Community Development Block Grant Program. She thought perhaps there was incomplete information when this matter

was considered by the advisory board (Community Services Board). About 48% of the people served are Fort Lauderdale residents. Nearly half of over 4,000 phone calls to the crisis line each year are made by Fort Lauderdale residents. Even though they are planning to relocate in order to expand, the move will not occur until the first quarter of 2010 and they will continue to serve Fort Lauderdale residents. Women in Distress is the only certified domestic violence center for the entire county. They ranked tenth in scoring. Funding was recommended for those that ranked first through ninth and eleventh and twelfth, which scored the same or lower. She saw the procedure as unfair.

In response to Commissioner Rodstrom, Ms. Riedel outlined the data as to the number of people and families who are helped over a one-year period. Services are provided in three languages. Outreach is also conducted in the schools. She went on to discuss how the program has helped men, women and children.

Commissioner Rodstrom believed one of the triggers to domestic violence and child abuse is finances. She was concerned about an increase and questioned why it was not recommended.

Vice Mayor Roberts agreed with Commissioner Rodstrom. He commented about the services being invaluable. He commented that the organization ranked thirteenth provides work for the homeless. There are other areas of funding for the homeless. He wanted to amend the recommendation to include Women in Distress as a funding recipient and remove the last place agency, Coalition To End Homelessness.

Motion made by Vice Mayor Roberts and seconded by Commissioner Rodstrom to amend the Community Services Board recommendation to include Women in Distress as a recipient and remove the Coalition To End Homelessness, for a total of twelve agencies.

In response to questions raised by Commissioners Rodstrom and Rogers, Greg Brewton, Director of Planning and Zoning, indicated that staff provides the Commission with an action plan for funding categories. The Community Services Board decides the individual amounts from the total Community Development Block Grant Program (CDBG) funding. Jonathan Brown, Housing and Community Development Division, explained there is a certain percentage of CDBG funds that may be set aside for public services. The recommendation uses the maximum of \$230,000 (15%). The City monitors the organizations to make sure they are meeting requirements set forth in their application, the recommendation and subsequent Commission approval.

The City Auditor asked if there are restrictions on the program income. Mr. Brown indicated that traditionally HUD CDBG guidelines are followed. Generally, the City would not fund additional public service projects because they have their own application process and review by the Community Services Board. Theoretically 15% of the program income funds could be used. Program funding is generally applied to neighborhood capital improvement projects and capital improvement projects. Additional funds could be allocated to public services provided the HUD percentage guidelines are not exceeded. The Commission would make the final decision.

In response to Commissioner Rogers, Ms. Riedel noted in checking the Community Services Board minutes it is clear there was a misunderstanding on the need and that nearly half of the people served are Fort Lauderdale residents. Mr. Brown provided more

detail on the source of program funding and the unpredictability of the amount. There are no additional funds available today for public services.

Commissioner DuBose pointed out that the Community Services Board is composed of volunteers. Their decision was not solely based upon Women in Distress not being located in Fort Lauderdale. When this was previously discussed and today not all of the players are present. He was concerned about making this change when it is clear that was not the sole reason for the allocation decision. All twenty-two organizations provide very essential services to the community.

Commissioner Rogers felt Commissioner DuBose's point is well taken. The board's criteria seems to be good. He felt those rules should be used.

Commissioner DuBose mentioned one example where a request is for a staff person at \$50,000 and \$23,000 is provided so the objective is not met. Also the board could have funded the top eight. He pointed out that staff initially recommended funding only six agencies giving each more money, but the board tried to spread a wider net. There is more to the ranking than numbers and he did not want to send that message.

Vice Mayor Roberts referred to the action plan and noted funding provided for homelessness in several areas, one example is \$91,000 whereas there is no other avenue for Women in Distress.

Mayor Seiler noted the board spent considerable time developing a recommendation. He emphasized that whatever policy is set, the Commission needs to stay with it.

Vice Mayor Roberts emphasized although boards and committees make recommendations, the Commission makes final decisions. Mayor Seiler felt in fairness all of the organizations that did not receive funding should have been invited. He would accept either direction, provided there is then a policy.

Commissioner Rogers wanted to go by the numbers according to the criteria; they are objective. If the board finds it awkward not to have more subjectivity, then it needs to be written into the criteria. He felt it would be bad policy to allow such an inconsistency to perpetuate itself.

Commissioner DuBose thought that this move adds more confusion, and could set new precedent towards a bad policy. There are other groups could have come before the Commission to make their arguments. If the board had been charged with using strictly numbers, they might have funded nine instead of twelve.

Commissioner Rogers understood that based on the oral presentations, Women in Distress was eliminated, which he did not think was necessarily fair. Commissioner DuBose thought the scoring was done before the oral presentations. In response to Mayor Seiler, Mr. Brown advised that the scoring process begins when the oral presentations are made, therefore the oral presentation component is reflected in the scoring.

Commissioner Rodstrom felt this is why it was important for this topic to have been discussed at a conference meeting. All of the boards and committees know their function and realize they are appreciated, but the bottom line is that the Commission is the steward

of funding and sets policy. She felt it is poor policy never to question a board or committee recommendation.

Mayor Seiler clarified that if policy is to be set, the public should be notified.

Vice Mayor Roberts commented that questions were raised at the conference meeting, therefore he felt it was incumbent upon these organizations to be present. This is part of the process. The vote is made at the evening meeting with discussion often in conference.

Laurie Sallerulo, 211 Broward, commented about the volume of calls 211 Broward receives and how it is increasing although funding is decreasing. She felt it may be worthwhile to look at the process. She commented what happens when callers are put on hold. She invited the Commission to visit the facility and hear some of the calls. She thanked the Commission for the funding granted.

In response to Commissioner DuBose, Mayor Seiler noted that Women in Distress would receive \$23,181.40 and the Coalition to End Homelessness would not be funded.

Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Mr. Brown indicated the previous year funding was \$20,000, and this is an increase to Women in Distress. CDBG policy requires demonstration of services having increased. Staff will look at the application package to see if that is the case, otherwise the funding may be capped at \$20,000.

There was no one else wishing to speak.

Motion made by Vice Mayor Roberts and seconded by Commissioner Rodstrom to close the public hearing. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Commissioner Rodstrom wanted this matter placed on a conference agenda for a full review of the funding decisions. Mr. Brown stated that public services are recommended by the Community Services Board which is then presented to the Commission. Fair housing activities are funded based on what has been provided historically.

Commissioner Rodstrom asked about the deadline for the action plan. Mr. Brown advised that August 15, 2009. Commissioner Rodstrom requested this be placed on the conference agenda for a more thorough explanation. She wanted a two year history of expenditures for these categories, including how much federal money was received and so forth.

Commissioner Rogers referred to the foreclosure prevention program funding and suggested that Mr. Brown find a provider so that the funds are used wisely and the Housing and Community Development Division does not have to do everything. These are different times, therefore historical basis should not just be taken. Mr. Brown indicated that staff looked thoroughly at the foreclosure prevention program. Only those families 80% below the area median income could be funded. The vast majority of people in need of foreclosure assistance are not those families 80% and below the median income. Staff

considered what was spent last year and what was left, this \$100,000 and left over SHIP funds.

Mayor Seiler asked Mr. Brown to meet with the Commission individually before July 21 to explain the process. He asked this item be placed on the conference agenda for July 21, 2009.

The regular meeting recessed at approximately 8:55 p.m. and reconvened at approximately 11:56 p.m. with Agenda Item O-01.

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| ORDINANCES |
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Code Amendment – Chapter 18 - Nuisances

(O-01)

No budgetary impact.

An ordinance amending Code of Ordinances, Chapter 18, Nuisances – expedite abatement of public nuisances relating to foreclosed – open – unsecured properties, trash, excessive overgrowth, derelict vehicles and abandoned swimming pools.

Exhibit: Commission Agenda Report 09-0921

Commissioner Rogers introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-09-18

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REPEALING CHAPTER 9, ARTICLE VIII, VACANT BUILDINGS OR DWELLINGS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, AND CHAPTER 18, NUISANCES, ARTICLE I, IN GENERAL, AND ARTICLE II, LOT CLEARING, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, AND REPLACING WITH A NEW CHAPTER 18, NUISANCES, ARTICLE I, PUBLIC NUISANCES, AND ARTICLE II, ENFORCEMENT, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA; PROVIDING FOR CONDITIONS DECLARED PUBLIC NUISANCES; PROVIDING AUTHORITY TO INTERPRET, MAKE, ALTER AND REPEAL RULES; PROVIDING DEFINITIONS; PROVIDING FOR BOARDING CERTIFICATES AND STANDARDS FOR SECURING BUILDINGS; PROVIDING FOR NOTICES TO ABATE PUBLIC NUISANCES, ABATEMENT OF PUBLIC NUISANCES, LIENS FOR COSTS OF ABATEMENT AND ADMINISTRATIVE

HEARINGS; AND FURTHER PROVIDING FOR
SEVERABILITY AND AN EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Code Amendment – Chapter 25 – Article VIII (O-02)
Newsracks – Uniform Height And Removal of Abandoned Newsracks

No budgetary impact.

An ordinance amending Code of Ordinances, Chapter 25, Article VIII, Movable Fixtures within Right-of-Way – provide for uniform height of newsracks and cost in the removal of abandoned newsracks.

Exhibit: Commission Agenda Report 09-0922

Commissioner Rogers introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-09-19

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHAPTER 25, STREETS AND SIDEWALKS, ARTICLE VIII, MOVEABLE FIXTURES WITHIN THE RIGHT-OF-WAY, SECTION 25-194, STANDARDS FOR MAINTENANCE, APPEARANCE AND INSTALLATION, TO PROVIDE FOR A UNIFORM HEIGHT OF NEWSRACKS AND SECTION 25-196, ENFORCEMENT, TO PROVIDE FOR COSTS IN THE REMOVAL OF ABANDONED NEWSRACKS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Water and Sewer Rate Restructure, Stormwater Rate Adjustment – Establish Service Availability Charges (O-03)

No budgetary impact.

An ordinance adopting a restructuring of water and sewer rates, a stormwater rate adjustment and establishing charges for Fiscal Year 2009-2010, effective August 1, 2009 and Fiscal Year 2010-2011, effective August 1, 2010.

Commissioner DuBose introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-09-21

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED WATER, WASTEWATER AND STORMWATER, BY AMENDING SECTION 28-1A TO ELIMINATE WATER SHORTAGE SURCHARGES FOR WASTEWATER USER AGREEMENTS AND TO ELIMINATE WATER SHORTAGE SURCHARGES FOR PHASE I AND PHASE II LEVELS OF WATER RESTRICTION; AMENDING SECTIONS, 28-76, 28-141, 28-143, 28-144, 28-145 AND 28-197 THEREOF, TO PROVIDE FOR CURRENT AND FUTURE INCREASES TO WASTEWATER USER RATES, TAPPING CHARGES, WATER RATES, SPRINKLING METER CHARGES, PRIVATE FIRE SERVICE PROTECTION CHARGES AND STORMWATER MANAGEMENT PROGRAM RATES; PROVIDING FOR RATE STRUCTURE MODIFICATIONS; PROVIDING FOR SERVICE AVAILABILITY CHARGES AND SERVICE AVAILABILITY RECONNECTION CHARGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Which ordinance was read by title only.

Susan Smith, Assistant Director of Public Works, City of Oakland Park, expressed concerns with the Burton & Associates Utility Rate Study recommendations and the proposed increase for bulk master metered customers. Bulk purchase users are recommended to be at the same rate as the commercial user class. They do not believe that to be an equitable allocation of the rate increase in that 85% of Oakland Park's metered accounts are residential or multi-family. Bulk service cities should be considered as wholesale customers with a separate rate allocation. This has been raised with Fort Lauderdale staff and they have agreed to present it to the Commission for consideration. They request that this be considered at second reading of the ordinance. She provided a letter, dated July 6, 2009, from the City of Oakland Park City Manager. A copy of the letter is attached to these minutes.

Albert Carbon, Public Works Director, indicated that Fort Lauderdale services Oakland Park and Wilton Manors. Both are requesting that master meter charges be examined. Staff will be discussing the matter with these municipalities and bringing back suggestions on July 21, 2009.

In response to Mayor Seiler, Mr. Carbon indicated that Port Everglades and Davie have master meters. In Lauderdale-By-The-Sea there are individual meters. In previous ordinances, master meters were separate. Commodity charges for master meters was a little higher than commercial uses. Meter fees will decrease in this new ordinance. In the new ordinance they are treated like a commercial customer.

Commissioner Rodstrom asked about lowering the rate increase and still protect the bonding capacity. Mr. Carbon indicated in the report provided to the Commission there were four alternatives.

Commissioner Rodstrom noted that she was promised the City would have a rate structure running from 3% to 5% for the next 5-10 years and now the information is different. She understood the City needs to meet debt service and retain the bond rating, but she was having difficulty understanding the need for 25% over the next two years and why the rates were not raised with the previous Commission. Mr. Carbon explained it is difficult to predict several years in advance. He referred to the slide entitled unfunded mandates in his previous presentation. Water sales continue to decline, along with revenue. They attempted to match the rate structure to revenues. He also referred to the slide entitled Operational Benchmarking.

Commissioner Rodstrom asked if this fee would include addressing an alternate water system. Mr. Carbon stated the rate structure and capital improvement program will provide an additional six million gallons of water to get the City through 2025 at the current projected population growth. It also plans on expansion of the Lohmeyer wastewater treatment facility in the 2013-2014 range.

Roll call showed: YEAS: Commissioners DuBose and Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: Commissioner Rodstrom,

There being no other matters to come before the Commission, the meeting was adjourned at 12:11 A.M. at which time the Commission convened as the Community Redevelopment Agency Board of Directors and completion of the closed door session.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk