

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

**Agenda**

<b>Item</b>	<b>Resolution/Ordinance</b>		<b>Page(s)</b>
		<u>Presentations:</u>	
		1. Non Profit Dance Crew Performance – Non-Profit Center – Greater Fort Lauderdale Chamber Of Commerce	1
		2. Art Institute of Fort Lauderdale Day – November 4, 2009	1
		3. America Recycles Day – November 15, 2009	2
		4. Outstanding City Employees	2
		5. Don't Forget to Test your Smoke Detector	2
CA		Consent Agenda	3
M-01		Event Agreement – Thanksgiving Feast Festival	3
M-02		Event Agreement – Bonnet house Orchid Fair	3
M-03		Event Agreement – Victoria Park Cause for Paws Benefit Walk	4
M-04		Event Agreement – Coral Ridge Association Holiday Party	4
M-05		Event Agreement – Movie in the Park	4
M-06		Event Agreement – Get Downtown	4
M-07		Event Agreement – Home for the Holidays – Closing SE SE 15 Street and SE 1 Avenue	5
M-08		Event Agreement – Walk Along with Arbonne for Operation Gratitude	5
M-09		Event Agreement – Helping Hand to our Community	5
M-10		Event Agreement – Outreach Run – Closing City Streets Along Route	5
M-11		Event Agreement – Inlet Challenge	6
M-12		37 <sup>th</sup> Annual Thanksgiving Food Drive	6
M-13		Annual Holiday Toy Drive	6
M-14		Change Order 3 (Final – Insituform Technologies, Inc. - Credit (\$123,508.90) – Wastewater Conveyance System – Sewer Basin A-11 and Annual Sewer Lining	7
M-15		Task Order 08-24 – Hazen and Sawyer, P.C. - \$580,621- Dixie Wellfield Raw Water Main Replacement	7, 14
M-16		Task Order 09-15 – Hazen and Sawyer, P.C. - \$50,148- Ground Water Rule Compliance Assistance – Water Treatment Plants	7, 14
M-17		Contract Extension – F.R. Aleman & Associates, Inc. - Annual Point Excavation (Potholing) and Utility Designation Services	8
M-18		Saltwater Intrusion Modeling – Agreement with Broward County - \$250,000	2, 8
CR-01	09-259	Task Order 08-08- Hazen and Sawyer, P.C. - \$182,343 - Peele Dixie Water Treatment Plant – Operational Assistance – Corrosion Study	8, 15
CR-02	09-260	Amend Operating Budget – Appropriation - \$198,985 - Water and Wastewater Treatment Plant Projects	9
CR-03	09-	Complex for Education and Preservation – Intersection of Sunrise Boulevard and State Road 7 – U.S. 441 – Lauderhill	2, 9
CR-04	09-261	Grant Acceptance – Police Department - \$663,572 – Edward Byrne Justice Assistance Recovery – U.S. Department of Justice	10, 15
CR-05	09-262	Change Order 1 – Weekley Asphalt Paving, Inc. - \$18,700- Annual Asphaltic Concrete Pavement Surfacing - SW 15 Avenue	10

## CITY COMMISSION REGULAR MEETING

11/03/09-

CR-06	09-263	Amend Operating Budget – Appropriation - \$116,862 – School Resource Officer Position	11, 14
CR-07	09-264	Tri-Rail Dedicated Funding Source	11
PUR-01		352-9225 Contract Extension for Expedited Plan Review	12
PUR-02		583-9992 Increased Expenditure – Tree Trimming, Site Clearing Warbler Wetlands and Snyder Park	12
PUR-03		592-10339 – Vehicle Replacement – Sewer Cleaner	13, 15
PUR-04		105-10372 – Employee Voluntary Benefits Plan	13
R-01		Renewal of Employment Contract – City Manager	2, 17
R-02	09-	River Bend South I Plat – 2400 West Broward Boulevard Charles B Ladd – Riverbend South, LLC - Case 1P09	2, 17
R-03	09-257	Vacate Portion of Non-Vehicular Access Line Easements 1730 North Federal Highway – Case 8-P-09A	17
R-04	09-258	Board and Committee Appointments	17
CIT-01		Dennis Ulmer – Veteran’s Day – Honoring our Veterans	18
CIT-02		Bruce Wigo – International Swimming Hall of Fame – Upcoming Events	18
CIT-03		Sherman Whitmore – Beach Master Plan	18
CIT-04		Virgil E Niederriter – Traffic – SW 24 Avenue	19
CIT-05		Robert Walsh – Duration of City Commission Meetings	19
PH-01	C-09	Vacate Right-of-Way – SW 26 Avenue – Case 2-P-09 Supervisor of Elections Office - Riverbend South LLC	3, 19
PH-02	C-09	Rezoning With Allocation of Commercial Flex and Development Plan - Supervisor of Elections Office - 2400 West Broward Boulevard – Case 5-ZR-09	3, 19
O-01	C-09-30	Rezoning To Parks, Recreation, and Open Space – 2220 NW 21 Avenue – City of Fort Lauderdale - Osswald Park - Case 9-Z-09	20
O-02	C-09-31	Code Amendment – Section 7-32 – Aviation Advisory Board Representation from Cities of Tamarac and Oakland Park	21
O-03	C-09-32	Super Bowl and Pro Bowl 2010	21

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

Meeting was called to order at 6:02 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 Romney Rogers  
Mayor John P. "Jack" Seiler

Absent: Commissioner Bobby B. DuBose

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

Invocation was offered by Pastor Jerry Singleton, Saint Anthony Catholic Church followed by the Pledge of Allegiance by Kevin Collier.

**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).**

**Presentations**

- 1. Non-Profit Dance Crew Performance (PRES-01)  
Non-Profit Center – Greater Fort Lauderdale  
Chamber of Commerce**

Tony Beall, representing Non-Profit Dance Crew, explained how the dance crew came to fruition, when they meet and their composition. The dance crew performed for the audience and the members introduced themselves.

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- 2. Art Institute of Fort Lauderdale Day - (PRES-02)  
November 4, 2009**

Commissioner Rodstrom presented a proclamation, designating November 4, 2009 as Art Institute of Fort Lauderdale Day, to Professor Mimi Botscheller and students of the Art Institute of Fort Lauderdale. Ms. Botscheller thanked the Commission and recognized the students.

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**3. America Recycles Day – November 15, 2009 (PRES-03)**

Commissioner Rogers presented a proclamation, designating November 15, 2009 as America Recycles Day, to Anthony Abbate, chair of the Green Committee. Mr. Abbate thanked the Commission and encouraged everyone to participate in recycling. He stated that Florida lags behind most states regarding environmental stewardship.

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**4. Outstanding City Employees (PRES-04)**

Albert Carbon, Public Works Director, recognized Wayne Gaines, Utilities Mechanic II, for his efforts in helping to resolve a water leak at the City's deep well injection site. He went on to explanation the implications.

Steve Kinsey, Assistant Police Chief, recognized Officer Aaron Baxter as Officer of the Month for November, 2009, for being instrumental in the arrests of multiple burglary suspects.

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**5. Don't Forget To Test Your Smoke Detector (PRES-05)**

Fire Inspector Ron Tetreault reminded everyone to check the batteries in their smoke detectors. He suggested they be tested on a monthly basis.

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**Saltwater Intrusion Modeling – Agreement With Broward County - \$250,000 (M-18)**

Mayor Seiler announced that this item was removed from the agenda by the City Auditor.

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**Complex For Education and Preservation Intersection of Sunrise Boulevard and State Road 7 – U.S. 441 - Lauderhill (CR-03)**

Mayor Seiler announced that this item was removed from the agenda.

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**Renewal of Employment Contract – City Manager (R-01)**

Mayor Seiler announced that this item was removed from the agenda.

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**River Bend South I Plat – 2400 West Broward Boulevard Charles B. Ladd – Riverbend South LLC – Case 1-P-09 (R-02)**

Mayor Seiler announced that this item was removed from the agenda.

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**Vacate Right-of-Way – SW 26 Avenue – Case 2-P-09 (PH-01)**  
**Supervisor of Elections Office – Riverbend South LLC**

**Rezoning with Allocation of Commercial Flex and Development (PH-02)**  
**Plan – Supervisor of Elections Office – 2400 West Broward**  
**Boulevard – Case 5-ZR-09**

Mayor Seiler explained that some of the items have been removed from the agenda because Commissioner DuBose is not present as his mother passed away. He asked for a moment of silence for Commissioner DuBose and his family due to the loss of his mother. He announced when services will be held.

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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 – Thanksgiving Feast Festival (M-01)**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Team of Life, Inc. for Thanksgiving Feast Festival to be held on November 25, 2009, 3 PM – 9 PM at Lincoln Park.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1563

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**Event Agreement – Bonnet House Orchid Fair (M-02)**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Bonnet House, Inc. for Bonnet House Orchid Fair to be held on December 5, 2009, 9 AM – 4 PM, and December 6, 2009, 10 AM – 4 PM at Bonnet House, 900 North Birch Road.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1564

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**Event Agreement – Victoria Park Cause For Paws  
Benefit Walk****(M-03)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Victoria Park Civic Association, Inc. for Victoria Park Cause For Paws Benefit Walk to be held on December 5, 2009, 7:30 AM – 2 PM in Victoria Park and neighborhood streets and sidewalks.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1565

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**Event Agreement – Coral Ridge Association Holiday Party****(M-04)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Coral Ridge Association, Inc. for Coral Ridge Association Holiday Party to be held on December 19, 2009, 2 PM – 4 PM at George English Park.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1566

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**Event Agreement – Movie In The Park****(M-05)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Leadership Broward Foundation, Inc. for Movie In The Park to be held on December 11, 2009, 7 PM – 9 PM at Huizenga Plaza.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1567

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**Event Agreement – Get Downtown****(M-06)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Riverwalk Fort Lauderdale, Inc. for Get Downtown to be held on November 13, 2009, 5 PM – 8 PM at the Plaza, 333 East Las Olas Boulevard.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1568

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**Event Agreement – Home For The Holidays (M-07)**  
**Closing SE 15 Street and SE 1 Avenue**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Ronald McDonald House Charities of South Florida, Inc. for Home for the Holidays to be held on December 5, 2009, 6 PM – 9 PM at Ronald McDonald House, 15 SE 15 Street and closing SE 15 Street and SE 1 Avenue.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1571

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**Event Agreement – Walk Along With Arbonne For (M-08)**  
**Operation Gratitude**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with One Sharp Enterprise, Inc. for Walk Along With Arbonne for Operation Gratitude to be held on November 21, 2009, 6:30 AM – 12 Noon, at Fort Lauderdale Beach Park and along the beach to Sunrise Boulevard.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1573

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**Event Agreement – Helping Hand To Our Community (M-09)**  
**Helping Hand To Our Community**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with National Aid Foundation for Unprovided Children, Inc. for Helping Hand To Our Community to be held on November 21, 2009, 10 AM – 3 PM, at the foundation, 1317-1321 NE 4 Avenue.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1580

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**Event Agreement – Outreach Run (M-10)**  
**Closing City Streets Along Route**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Calvary Chapel of Fort Lauderdale, Inc. for Outreach Run to be held on December 5, 2009, 7 AM – 10:30 AM on church property and area streets and closing City streets along route, all contingent upon City Attorney's Office receiving and approving a validly executed agreement.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1586

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**Event Agreement – Inlet Challenge**

**(M-11)**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Kids in Distress, Inc. for annual Inlet Challenge to be held on December 6, 2009, 5 AM – 2 PM at Fort Lauderdale Beach Park and on A-1-A north to City limit.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1569

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**37<sup>th</sup> Annual Thanksgiving Food Drive**

**(M-12)**

**No budgetary impact.**

A motion authorizing and approving the 37<sup>th</sup> Annual Thanksgiving Food Drive providing an opportunity for citizens to donate non-perishable food items to Fort Lauderdale families in need.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1537

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**Annual Holiday Toy Drive**

**(M-13)**

**No budgetary impact.**

A motion authorizing and approving the Annual Holiday Toy Drive providing an opportunity for citizens to donate new toys to disadvantaged children in Fort Lauderdale.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1538

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**Change Order 3 (Final) – Insituform Technologies, Inc. - (M-14)**  
**Credit (\$123,508.90) – Wastewater Conveyance System -**  
**Sewer Basin A-11 and Annual Sewer Lining**

**Reduce encumbrance by (\$123,508.90) in Fund 482, Subfund 01, P11273.482-6599; EPO3382.**

A motion authorizing: (1) Change Order 3 (Final) with Insituform Technologies, Inc. in net CREDIT amount of (\$123,508.90) – final quantity reconciliation – Wastewater Conveyance System – Sewer Basin A-11 and Annual Sewer Lining – Project 11273; and (2) reduce encumbrance by (\$123,508.90).

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1455

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**Task Order 08-24 – Hazen and Sawyer, P.C. - \$580,621 (M-15)**  
**Dixie Wellfield Raw Water Main Replacement**

**Transfer \$420,000 from P10824.454-6599 and \$231,000 from P11197.454-6599 to P11484.454-6599, all in Fund 454, Subfund 01.**

A motion authorizing the proper City Officials to: (1) execute Task Order 08-24 with Hazen and Sawyer, P.C., in the amount of \$580,621 – engineering services associated with replacement of Dixie Wellfield Raw Water Main – Project 11484; and (2) transfer \$651,000 to fund this task order and 12 percent estimated WaterWorks 2011 fees.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1428

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**Task Order 09-15 – Hazen and Sawyer, P.C. - \$50,148 (M-16)**  
**Ground Water Rule Compliance Assistance –**  
**Water Treatment Plants**

**Funding of \$50,148 will be available in Fund 450, Subfund 01, PBS670303-3199 after approval of CAR 09-1556 Fund Appropriation. \$50,148 is available in P11246.454-6599, Fund 454, Subfund 01.**

A motion authorizing the proper City Officials to execute Task Order 09-15 with Hazen and Sawyer, P.C. in the amount of \$50,148 – Ground Water Rule Compliance Assistance – Water Treatment Plants.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1562

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**Contract Extension – F.R. Aleman & Associates, Inc. - (M-17)**  
**\$95,300 – Annual Point Excavation (Potholing) and**  
**Utility Designation Services**

Purchases are made on an as-needed basis and charged to individual project budgets per available funds and in accordance with established pricing. Funds for these purchases are budgeted in the Water and Sewer Capital Improvement Budget – Fund 454, Subfund 01, Character 60. The current budget is \$95,300 for these types of purchases.

A motion authorizing the proper City Officials to execute the second one-year contract extension with F.R. Aleman & Associates, Inc. in the amount of \$95,300 – Annual Point Excavation (Potholing) and Utility Designation Services – Project 11167B.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1482

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**Saltwater Intrusion Modeling – Agreement With Broward County - (M-18)**  
**\$250,000**

**\$75,000 is budgeted in PBS690603, Subobject 3199, Fund 470, Subfund 01.**

A motion authorizing the proper City Officials to execute an agreement with Broward County and authorizing an expense of \$250,000 over a four-year period to participate in development of a saltwater intrusion model for the central portion of coastal Broward County, developed by United States Geological Survey.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 09-1489

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<b>CONSENT RESOLUTION</b>
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**Task Order 08-08 – Hazen and Sawyer, P.C. - (CR-01)**  
**\$182,343 – Peele Dixie Water Treatment Plant –**  
**Operational Assistance – Corrosion Study**

**Appropriate \$182,343 from Fund 454, Subfund 01, P10824.454-6599 to Fund 450, Subfund 01, PBS670304-3199.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-1327

## RESOLUTION NO. 09-259

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE TASK ORDER 08-08 BETWEEN HAZEN & SAWYER, P.C. 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, 2009, AND ENDING SEPTEMBER 30, 2010, BY APPROPRIATING \$182,343 FROM FUND 454, SUBFUND 01, P10824.454-6599 AND TRANSFERRING-IN TO FUND 450, SUBFUND 01, PBS870304-3199 FOR CITY PROJECT 10454 OPERATIONAL ASSISTANCE WITH THE MEMBRANE WATER TREATMENT SYSTEMS AT THE PEELE-DIXIE WATER TREATMENT PLANT.

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**Amend Operating Budget – Appropriation - \$198,985 (CR-02)**  
**Water and Wastewater Treatment Plant Projects**

Appropriate \$198,985 from Fund 454, Subfund 01, P11246.454-6599 to Fund 450, Subfund 01; \$23,985 to PBS670304-6499; \$140,000 to PBS670303-3199 and \$35,000 to PBS670101-3199.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-1556

## RESOLUTION NO. 09-260

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, 2009, AND ENDING SEPTEMBER 30, 2010, BY APPROPRIATING FUNDS IN THE AMOUNT OF \$198,985.00 FROM PROJECT 11246 TO FUND VARIOUS PROJECTS AT THE UTILITY TREATMENT PLANTS.

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**Complex For Education and Preservation - (CR-03)**  
**Intersection of Sunrise Boulevard and State Road 7 -**  
**U.S. 441 - Lauderhill**

**No budgetary impact.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-1601

RESOLUTION NO. 09-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, EXPRESSING SUPPORT OF THE DEVELOPMENT AND OPERATION OF THE COMPLEX FOR EDUCATION AND PRESERVATION IN THE CITY OF LAUDERHILL; PROVIDING THAT THE COMPLEX FOR EDUCATION AND PRESERVATION WILL HAVE A DIRECT ECONOMIC AND CULTURAL IMPACT ON THE STATE ROAD 7/US 441 CORRIDOR AND THROUGHOUT BROWARD COUNTY; PROVIDING FOR AN EFFECTIVE DATE.

**Grant Acceptance – Police Department - \$663,572 (CR-04)**  
**Edward Byrne Justice Assistance Recovery –**  
**U.S. Department of Justice**

Appropriate \$663,572 of Grant Funds to Fund 128, Subfund 01, GJAGRECV12, C217 (Rev); and, expenditures in 1101 (\$304,000); 1110 (\$1,800); Funding 1201 (\$27,360), 1307 (\$5,500), 1310 (\$500), 1316 (\$500), 1413 (\$1,680), 1501 (\$60,500), 2207 (\$110,352), 2301 (\$30,741), 2404 (\$41,520), 3231 (\$4,800), 3246 (\$12,000), 3299 (\$5,400), 3316 (\$2,750), 3946 (\$6,805), 3999 (\$5,045), 4104 (\$3,620), 4361 (\$2,000), and 6499 (\$36,699).

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-1577

RESOLUTION NO. 09-261

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, 2009, AND ENDING SEPTEMBER 30, 2010, BY ACCEPTING AND APPROPRIATING GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE – 2009 BYRNE JUSTICE ASSISTANCE RECOVERY PROGRAM, IN THE AMOUNT OF \$663,572.00 FOR LAW ENFORCEMENT PURPOSES.

**Change Order 1 – Weekley Asphalt Paving, Inc. - \$18,700 (CR-05)**  
**Annual Asphaltic Concrete Pavement Surfacing – SW 15 Avenue**

Appropriate \$18,700 from Fund 454, Subfund 01, P11197.454, Water and Sewer Fund Recap to Fund 332, Subfund 01, P11367.332-6599 to fund the change order

**and 17 percent engineering fees (7 percent Design, 5 percent Inspection, 3 percent Survey, 2 percent Admin).**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-1574

RESOLUTION NO. 09-262

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, 2009 AND ENDING SEPTEMBER 30, 2010 BY APPROPRIATING \$18,700.00 FROM FUND 454, SUBFUND 01, WATER AND SEWER FUND RECAP TO FUND 332, SUBFUND 01 TO FUND A CHANGE ORDER WITH WEEKLEY ASPHALT PAVING, INC.

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**Amend Operating Budget – Appropriation - \$116,862\* (CR-06)**  
**School Resource Officer Position**

**Appropriate \$116,862.00 from Fund 104, Subfund 01 (undesignated fund balance) to Fund 104, Subfund 01, POL050201, Various Subobjects (See funding information attached to these minutes.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 09-1591

RESOLUTION NO. 09-263

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, 2009, AND ENDING SEPTEMBER 30, 2010, BY APPROPRIATING FUNDS IN THE AMOUNT OF \$151,862.00 FROM THE LAW ENFORCEMENT CONFISCATED PROPERTY TRUST FUND FOR AN ADDITIONAL SCHOOL RESOURCE OFFICER.

\*Amount was revised, see resolution title.

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**Tri-Rail Dedicated Funding Source (CR-07)**

**No Budgetary Impact.**

**Recommend:** Introduce resolution.

**Exhibit:** Commission Agenda Report 09-1606

RESOLUTION NO. 09-264

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING EFFORTS OF THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY TO CREATE A DEDICATED FUNDING SOURCE TO FUND THE TRI-RAIL SYSTEM.

**PURCHASING AGENDA**

**352-9225 Contract Extension For Expedited Plan Review**

**(PUR-01)**

**\$320,000 is available in Fund 001, Subfund 01, BLD010203, 3199. The permit fees collected for Expedited Plan Review are placed in an escrow account and paid out to the vendor from the fees in that account. The fund is BLD010203. The budgeted amount for the FY09/10 is \$320,000. This is an estimated amount, we only pay out what has actually been collected and we verify all invoices received from CAP against the Community Plus database.**

One-year contract extension for expedited plan review services being presented for approval by the Building Department.

**Recommend:** Motion to approve.

**Vendor:** C.A.P. Government, Inc.  
Doral, Florida

**Amount:** \$320,000.00 (estimated)

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

**Exhibit:** Commission Agenda Report 09-1560

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

**583-9992 Increased Expenditure – Tree Trimming, Site Clearing – Warbler Wetlands and Snyder Park**

**(PUR-02)**

**\$18,000 available under GVARBLER09-3237, Fund Type 10, Fund 129, Subfund 01; \$42,000 available under GSNYDER09-3237, Fund Type 10, Fund 129, Subfund 01.**

Increased expenditure of \$60,000 for removal of exotic plants and clearing at Warbler Wetlands and Snyder Park is being presented for approval by the Parks and Recreation Department.

**Recommend:** Motion to approve.

**Vendor:** All Florida Tree & Landscape, Inc.  
Coral Springs, FL

**Amount:** \$60,000.00

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

**Exhibit:** Commission Agenda Report 09-1572

The Procurement Services Department has reviewed this item and recommends approval of the increased expenditure.

**592-10339 – Vehicle Replacement – Sewer Cleaner** (PUR-03)

**\$254,238 is budgeted in Fund 583, Subfund 01, PAR030101, 6416.**

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

**Recommend:** Motion to approve.

**Vendor:** Pat's Pump & Blower, L.L.C.  
Orlando, FL

**Amount:** \$254,238.00

**Bids Solicited/Rec'd:** 500/5

**Exhibit:** Commission Agenda Report 09-1589

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

**105-10372 – Employee Voluntary Benefits Plan** (PUR-04)

**Section 125 administration is \$30,816 for 3 years (\$10,272 annually) for 214 current participants & \$57,600 for three years (\$19,200 annually) for 400 participants from INS 200101/5133, Fund 543/Subfund 01. There are sufficient funds.**

Three-year voluntary benefits plan for all City employees is being presented for approval by Finance Department.

**Recommend:** Motion to approve.

**Vendor:** G Financial Group, Inc., Hollywood, FL  
Agent representing American Life Assurance Company Of Columbus/AFLAC), Allstate Insurance Company, and U.S. Legal Services, Inc.

**Amount:** \$57,600.00 (Est. three-year amt. For est. 400 emp.)  
**Bids Solicited/Rec'd:** 1463/4  
**Exhibit:** Commission Agenda Report 09-1576

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

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

**Motion** made by Commissioner Rogers and seconded by Vice Mayor Roberts that Consent Agenda Items M-15, CR-01, CR-04, and PUR-03 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 Rodstrom and Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: None. (Commissioner DuBose was absent for this meeting.)

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**Amend Operating Budget – Appropriation - \$116,862 (CR-06)**  
**School Resource Officer Position**

The City Clerk stated the appropriation has been revised to include pension costs. The new amount is \$151,862.

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**Task Order 09-15 – Hazen and Sawyer, P.C. - \$50,148 (M-16)**  
**Ground Water Rule Compliance Assistance – Water Treatment Plants**

The City Clerk stated the funding account number has been changed to 01 PBS670303-3199.

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**Task Order 08-24 – Hazen and Sawyer, P.C. - \$580,621 (M-15)**  
**Dixie Wellfield Raw Water Main Replacement**

Commissioner Rodstrom believed that because she is a member of the Fort Lauderdale Country there may be a conflict of interest, and as such, she wished to abstain from voting. In response to her question, Albert Carbon, Public Works Director, offered more insight about the work and the City Attorney indicated he did not believe a conflict is created. Commissioner Rodstrom wished to abstain in the abundance of caution.

**Motion** made by Vice Mayor Roberts and seconded by Commissioner Rogers to approve the item as presented. Roll call showed: YEAS: Commissioner Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: None. Commissioner Rodstrom abstained. A memorandum of voting conflict is attached to these minutes.

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**Task Order 08-08 – Hazen and Sawyer, P.C. - \$182,343 (CR-01)**  
**Peele Dixie Water Treatment Plant – Operational Assistance – Corrosion Study**

Commissioner Rodstrom indicated the same potential conflict applies to this item.

**Motion** made by Vice Mayor Roberts and seconded by Commissioner Rogers to approve the item as presented. Roll call showed: YEAS: Commissioner Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: None. Commissioner Rodstrom abstained. A memorandum of voting conflict is attached to these minutes.

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**Grant Acceptance – Police Department - \$663,572 (CR-04)**  
**Edward Byrne Justice Assistance Recovery – U.S. Department Of Justice**

In response to Vice Mayor Roberts, Assistant Police Chief Tom Harrington explained these funds would be used to fund four resource recovery officers this year and next year perhaps those positions will be moved back to be funded from the Law Enforcement Trust Fund. Vice Mayor Roberts questioned doing this for one year. Tymira Mack, Public Safety Grants Manager, clarified the positions will be charged to the federal trust fund. After expiration of the grant, the positions will be in the General Fund or they could be funded by the state trust fund. Vice Mayor Roberts wanted to use the grant funds for another need; he questioned making this change. Assistant Chief Harrington explained that previously staff was not sure if federal trust funds could be used for this purpose. They subsequently secured an opinion from Federal Trust Fund officials that school resource officers could be funded with federal trust funds. If necessary, this funding source could be used next year. Vice Mayor Roberts understood from Assistant Police Chief Harrington that the commitment has already been made; a reallocation cannot be made at this time. In response to Commissioner Rodstrom, Mr. Harrington indicated a verbal opinion was just received last week; they are expecting a written confirmation.

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

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**592-10339 – Vehicle Replacement – Sewer Cleaner (PUR-03)**

In response to Commissioner Rodstrom, Diana Alarcon, Director of Parking and Fleet Services, stated the vehicle is in poor condition; it has a lot of rust; there is a lot of down time; it will be auctioned.

Commissioner Rodstrom questioned the low mileage with the vehicle having been purchased in 2001. She asked about the possibility of using it for routine maintenance. Albert Carbon, Public Works Director, explained the vehicle is used for clogs at the wastewater treatment plant. He went on to elaborate upon routine maintenance that is ongoing citywide. He offered to provide additional information to Commissioner Rodstrom's constituent and asked her to furnish the individual's contact information.

Commissioner Rogers referred to the Vehicle Replacement Analysis and scoring provided and questioned whether replacement could be deferred another year. Mr. Carbon responded no and explained that this is a critical piece of equipment. The repairs have to be made; the treatment plant cannot be shut down. This is the only vehicle at the facility all of the time. He recalled a recent incident where an employee had to go into a hole of treated wastewater in order to make a repair. He emphasized the extent of downtime.

Commissioner Rodstrom referred to the rust and questioned the routine maintenance. Mr. Carbon explained the vehicle works in a corrosive environment. The vehicle is operational 24/7 with three crews. She was concerned that something be done to prevent the rusting. Mr. Carbon indicated staff will improve their maintenance schedule and continue to try to prevent it.

Vice Mayor Roberts referred to a letter in the backup dated October 12, from a competing vendor, claiming the recommended vendor provided the same vehicle to the City of Orlando nineteen days after Fort Lauderdale's bid for over \$34,000 less. Kirk Buffington, Director of Procurement Services, clarified that the vehicles are not the same. Staff used that information, however, to negotiate a further reduction of \$3,800 from the original bid price.

In response to Mayor Seiler, Mr. Carbon explained that Lohmeyer wastewater treatment facility is located across from the Port of Everglades near the Intracoastal which is a saltwater environment.

Commissioner Rodstrom asked if something could be done to prevent the rusting. Steve Newman of Venus, Florida, explained the density of the steel was increased as specified by the City. There are four coats of paint. Some parts were specified for material that will never rust. There is a ten-year warranty on the body itself. There are other pieces of equipment purchased from Pat's Pump & Blower, L.L.C. in the City's fleet that are older than ten years and still in operation. The ten-year warranty has to do with the steel thickness; other competitors offer a five-year warranty.

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

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#### **Minutes Approval:**

Commissioner Rodstrom referred to page 5 of the September 2, 2009 Budget Workshop Meeting, concerning a public restroom facility near the Art Institute; it is probably the Science and Discovery Center. The City Clerk offered to check the tape recording.

Commissioner Rogers referred to four pages from the end of the September 15, 2009 Regular Meeting a vote has him listed twice and Commissioner DuBose omitted. Also on page 25, line 10, he felt it should state that it was within their rights. The City Clerk offered to check the tape recording.

This item was deferred to November 17, 2009.

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<b>RESOLUTIONS</b>
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**Renewal of Employment Contract – City Manager** (R-01)

**No budgetary impact.**

Mayor Seiler announced that this item is being deferred to November 17, 1009.

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**Riverbend South I Plat – 2400 West Broward Boulevard** (R-02)  
**Charles B. Ladd – Riverbend South, LLC – Case 1-P-09**

**No budgetary impacts.**

Mayor Seiler announced that this item is being deferred to November 17, 1009.

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**Vacate Portion of Non-Vehicular Access Line Easements** (R-03)  
**1730 North Federal Highway – Case 8-P-09A**

**No Budgetary Impacts.**

**Applicant:** 19 Street Investors, Inc.  
**Location:** 1730 North Federal Highway  
**Zoning:** Boulevard Business B-1

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 09-257

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THOSE PLATTED NON-VEHICULAR ACCESS LINES AS SHOWN ON THE “F.V.S. PLAT NO. 2,” ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 123, PAGE 9, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ALONG THE EAST SIDE OF NORTH FEDERAL HIGHWAY, BETWEEN NORTHEAST 19 STREET AND NORTHEAST 16 COURT, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

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**Board and Committee Appointments** (R-04)

**No budgetary impact.**

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

Cemeteries Board of Trustees	John Sykes
Citizens Committee of Recognition	James Naugle
Community Appearance Board	Sheila Franklin
Education Advisory Board	Jim Howell Chase Adams
Historic Preservation Board	Matthew Andrew DeFelice

Mayor Seiler opened the floor for public comment.

Robert Walsh, 401 East Las Olas Boulevard, asked the Commission to be cautious when appointing individuals to City boards.

Commissioner Rodstrom introduced a written resolution entitled:

RESOLUTION NO. 09-258

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 Rodstrom and Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: None.

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<b>CITIZEN PRESENTATION</b>
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**Dennis Ulmer – Veteran’s Day – Honoring Our Veterans** (CIT-01)

Dennis Ulmer announced the upcoming Veterans Day ceremony, discussed its importance and asked all veterans and their family members in the audience to stand and be recognized.

**Bruce Wigo – International Swimming Hall of Fame – Upcoming Events** (CIT-02)

Not present.

**Sherman Whitmore – Beach Master Plan** (CIT-03)

Not present.

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**Virgil E. Niederriter – Traffic – SW 24 Avenue****(CIT-04)**

Virgil Niederriter noted SW 24 Avenue traffic has been postponed. However, he indicated the need to address flooding. When some of the swales were overhauled, rock was used which causes flooding. Also, new swales are being damaged. He requested the ordinance be adjusted to address this.

**Robert Walsh – Duration of City Commission Meetings****(CIT-05)**

Robert Walsh suggested individuals concerned about the length of Commission meetings discuss it at the upcoming Charter Revision Board meeting. He planned to make some suggestions to shorten the meetings. He felt the meetings are too long and hoped the Commission would address it. Mayor Seiler explained that the Commission has questions; he was pleased with the healthy dialogue.

<b>PUBLIC HEARINGS</b>
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**Vacate Right-of-Way – SW 26 Avenue – Case 2-P-09****(PH-01)****Supervisor of Elections Office – Riverbend South LLC**

No budgetary impact.

**Applicant:** Riverbend South LLC  
**Location:** SW 26 Avenue between West Broward Boulevard and SW 2 Street  
**Zoning:** Boulevard Business B-1 and Mobile Home Park MHP

**Motion** made by Commissioner Rogers and seconded by Vice Mayor Roberts to defer this item to November 17, 2009 at 6:00 p.m. Roll call showed: Commissioners Rodstrom and Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: None.

**Rezoning With Allocation of Commercial Flex and Development Plan – Supervisor of Elections Office – 2400 West Broward Boulevard – Case 5-ZR-09****(PH-02)**

No budgetary impact.

**Applicant:** Riverbend South, LLC  
**Location:** 2400 West Broward Boulevard  
**Current Zoning of South Portion of Property:** Mobile Home Park MHP  
**Proposed Zoning Of South Portion Of Property:** Community Business CB  
**Future Land Use:** Medium High Residential

**Motion** made by Commissioner Rogers and seconded by Vice Mayor Roberts to defer this item to November 17, 2009 at 6:00 p.m. Roll call showed: Commissioners Rodstrom and Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: None.

**ORDINANCES**

**Rezoning To Parks, Recreation and Open Space - (O-01)**  
**2220 NW 21 Avenue – City of Fort Lauderdale –**  
**Osswald Park – Case 9-Z-09**

**No budgetary impact.**

**Applicant: City of Fort Lauderdale**  
**Location: 2200 NW 21 Avenue**  
**Current Zoning: Open Space and Public Recreation S-2 (Broward County Zoning)**  
**Proposed Zoning: Parks, Recreation and Open Space P (City Zoning)**  
**Future Land Use: Park – Open Space**

**ALL INDIVIDUALS WISHING TO SPEAK ON THIS MATTER WERE SWORN IN.**

Mayor Seiler announced that he has visited the park on many occasions.

Vice Mayor Roberts introduced the following ordinance on SECOND reading:

**ORDINANCE NO. C-09-30**

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM BROWARD COUNTY ZONING "S-2" TO CITY OF FORT LAUDERDALE ZONING "P;" PARCEL "A," OSSWALD PARK ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 143, PAGE 29, LESS THE TYRONE BRYANT BRANCHY LIBRARY, AND LESS THE ADDITIONAL RIGHT-OF-WAY AS DEDICATED BY BROWARD COUNTY RESOLUTION #90-3490 AS RECORDED IN THE OFFICIAL RECORDS BOOK 17975, PAGE 962 AND LESS THE PARCEL OF LAND LOCATED IN THE NORTHEAST CORNER OF SAID PARCEL "A" DESCRIBED IN A QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 18487, PAGE 171; ALL AS RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED AT 2220 NORTHWEST 22<sup>ND</sup> 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 Rodstrom and Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: None.

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**Code Amendment – Section 7-32 – Aviation Advisory Board Representation From Cities of Tamarac and Oakland Park** (O-02)

**No budget impact.**

Mayor Seiler explained how this came about and his involvement.

Vice Mayor Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-09-31

AN ORDINANCE RELATING TO THE FORT LAUDERDALE EXECUTIVE AIRPORT; AMENDING SECTION 7-32 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO PROVIDE FOR MEMBERSHIP OF NON-VOTING MEMBERS ON THE AVIATION ADVISORY BOARD, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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**Super Bowl and Pro Bowl 2010** (O-03)

**No budgetary impact.**

Vice Mayor Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-09-32

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING JANUARY 4 THROUGH FEBRUARY 15, 2010 AS A PUBLIC PURPOSE SPECIAL EVENT KNOWN AS SUPERBOWL 2010 IN THE CITY OF FORT LAUDERDALE; PROVIDING FOR A SPECIFIC LIMITED TEMPORARY EXEMPTION FROM SECTION 8-85; ESTABLISHING HOURS, LOCATIONS AND CONDITIONS FOR OPEN CONTAINERS DURING THIS TIME; PROVIDING FOR A LIMITED TEMPORARY EXEMPTION FROM SPECIFIC PROVISIONS OF SECTION 47-22; ESTABLISHING TIME LIMITATIONS, INSURANCE AND INDEMNIFICATION REQUIREMENTS; APPLICATION PROCEDURES AND SAFETY REQUIREMENTS FOR SIGNAGE; PROVIDING

FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE  
DATE.

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

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Commissioner Rogers announced the upcoming Citizens Volunteer Corps event.

Robert Walsh advised that November is National Alzheimer Awareness Month.

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There being no other matters to come before the Commission, the meeting was adjourned at 7:18 P.M.

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John P. "Jack" Seiler  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk