

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
FEBRUARY 16, 2010

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
February 16, 2010**

Meeting was called to order at 6:10 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1st floor Chambers.

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 Manger George Gretsas
City Auditor John Herbst
City Clerk Jonda K. Joseph
City Attorney Harry A. Stewart
Sergeant At Arms Lieutenant Glenn Galt

Invocation was offered by Pastor Elizeu Rodrigues, Bethel First Assembly of God, followed by the recitation of the pledge of allegiance led by Chris Wren.

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).

Motion made by Commissioner DuBose and seconded by Commissioner Rodstrom to approve the minutes of the November 3, 2009, November 17, 2009, and December 1, 2009 Conference Meetings. Roll call showed: YEAS: Vice Mayor Roberts, Commissioner Rodstrom, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

Presentations

1. Recognition – Traci Pollack – Waterworks 2011 Program (PRES-01)

Debora Van Valkenburgh of the Chula Vista Isles Homeowners Association and Commissioner Rogers on behalf of the Commission recognized Traci Pollack for her outstanding service to the citizens of Fort Lauderdale during the WaterWorks 2011 program implementation.

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 – Duck Fest Derby -
Closing SW 2 Street and SW 4 Avenue**

(M-01)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Kids In Distress, Inc. for Duck Fest Derby, to be held February 27, 2010, 1 PM – 4 PM and closing SW 2 Street from SW 4 Avenue to SW 5 Avenue, and SW 4 Avenue from SW 2 Street to the Riverwalk.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0167

**Event Agreement – St. Patrick’s Day Celebration
Closing Alley Behind Maguire’s Hill**

(M-02)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Cillarda Inc. for St. Patrick’s Day Celebration to be held on March 16, 2010, 5 PM – 12 midnight and March 17, 2010, 7 AM – 12 midnight, at Maguire’s Hill 16, 535 North Andrews Avenue and closing the alley running parallel to Andrews Avenue behind Maguire’s Hill between their property lines.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0210

Event Agreement – River Oaks Recycling Yard Sale

(M-03)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with River Oaks Civic Association, Inc. for River Oaks Recycling Yard Sale, to be held on March 20, 2010, 8 AM – 2 PM, at Gore-Betz Park, 1611 SW 9 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0227

**Event Agreement – Riverwalk Run -
Closing City Streets Along Route****(M-04)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Junior League of Greater Fort Lauderdale, Inc. for Riverwalk Run, to be held March 20, 2010, 5:30 AM – 10 AM, at Huizenga Plaza and closing of City streets along route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0228

Event Agreement – Show ‘N’ Shine XXVIII**(M-05)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with South Florida Gold Coast Volkswagen Club, Inc. for Show ‘N’ Shine XXVIII to be held March 28, 2010, 8 AM – 3 PM, at Mills Pond Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0229

**Event Agreement – Walk For KID -
Closing City Streets Along Route****(M-06)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Kids In Distress, Inc. for Walk for KID, to be held at Huizenga Plaza and area streets on April 10, 2010, 8 AM – 10 AM and closing City streets along route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0233

**Event Agreement – Corporate Run –
Closing City Streets Along Route****(M-07)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Team Footworks Educational and Fitness Corporation for Corporate Run, to be held April 1, 2010, 5 PM – 10 PM, at Huizenga Plaza and closing City streets along route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0235

**Event Agreement – New Times Beerfest -
Closing SW 2 Street and SW 4 Avenue****(M-08)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with New Times BPB, LLC for New Times 13th Annual Beer Fest, to be held April 17, 2010, 7 PM – 11 PM, at Esplanade and closing SW 2 Street and SW 4 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0211

Event Agreement – Palm 100**(M-09)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Ultra Sports, LLC for Palm 100, to be held from 6 AM on March 27, 2010 to 2 AM, March 28, 2010, on East Las Olas Boulevard, traveling through the City and continuing north out of the City limits.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0225

**Event Agreement – Spring Carnival -
Closing SW 11 Court****(M-10)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Our Lady Queen of Martyrs Church, a parish of Archdiocese of Miami, Inc. for Spring Carnival, to be held March 18, 2010 through March 21, 2010 and closing of SW 11 Court.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0226

**Event Agreement – Walk For The Animals After Party
Closing SW 2 Avenue and Eastbound Curb Lane of SW 2 Street****(M-11)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Tarpon Bend Food and Tackle Riverwalk, Ltd. For Walk For The Animals After Party, to be held March 6, 2010, 11:30 AM – 3 PM and closing SW 2 Avenue and curb lane of SW 2 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0230

Event Agreement – Florida Turkish Festival

(M-12)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Coral Springs Foundation, Inc. for Florida Turkish Festival, to be held February 20, 2010, 10 AM – 9 PM and February 21, 2010, 10 AM – 5 PM, at Huizenga Plaza, contingent on City Attorney's Office receiving and approving executed agreement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0231

**Agreement – School Board of Broward County
Use of School Buses for City Recreational Programs and Events**

(M-13)

\$10,000 is budgeted in PKR 032901, subobject 3299, fund 001, subfund 01.

A motion authorizing the proper City Officials to execute an agreement with School Board of Broward County – use of school buses for City recreational programs and events – May 17, 2010 through May 16, 2011.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0182

**First Extension To Agreement With Gold Coast Ski Club, Inc. -
Use of Lake At Mills Pond Park**

(M-14)

\$5,400 for receipt of revenue only. No expenditures are impacted. Revenue to be deposited into PKR030801-K303 Contracted Events Fund 001, Subfund 01.

A motion authorizing the proper City Officials to execute a first extension to agreement with Gold Coast Ski Club, Inc. for use of lake at Mills Pond Park for water skiing activities – April 3, 2010 through April 2, 2011.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0202

**Railroad Infrastructure – Florida East Coast Railway -
\$220,887.68**

(M-15)

\$220,887.68 is available in P08889-6599, Fund 331, Subfund 01 (note, this index code does not have a fund extension).

A motion authorizing payment to Florida East Coast Railway, in the amount of \$220,887.68 – maintenance requirements – railroad infrastructure – various locations.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0234

Change Order 4 – Gonzalez Pavement Equipment, Inc. - (M-16)
\$275,000 – Storm Drainage Improvements

\$321,750 is available in P11479.470-6599 Fund 470, Subfund 02 to fund the \$275,000 Change Order and 17 percent engineering fees in the amount of \$46,750.

A motion authorizing Change Order 4 with Gonzalez Pavement Equipment, Inc., in the amount of \$275,000 – annual storm drainage improvements – additional work – SW 6 Street between SW 2 and 7 Avenues, Birch Finger Street catch basins, between NE 14 to 16 Courts, NE 33 Avenue, SE 11 Street and Hector Park – Project 11479.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0252

Contract Award – Thunder Demolition Inc. - \$475,562 (M-17)
Holiday Park Maintenance and Storage Building

Please see the funding information on the Bid Tab attached to these minutes.

A motion authorizing the proper City Officials to 1) award and execute contract with Thunder Demolition Inc., in the amount of \$475,562 – construction of new parks maintenance and storage facility at Holiday Park – Project 11074 and 2) transfer funds to complete the funding.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0240

Business Capital Improvement Grant Program – Fort Lauderdale Beach (M-18)
Village Merchants Association Inc., - Transfer \$4,777

Transfer \$4,777 from P00441.331-6599 to P11502.331-6599, all in Fund 331, Subfund 01.

A motion transferring funds for Fort Lauderdale Beach Village Merchants Association Inc. (previously North Beach Square Neighborhood Association, Inc.), in the amount of \$4,777 – entryway, streetscape and sidewalk improvements along Sunrise Lane and NE 9 Street – Business Capital Improvement Grant Program – Project 11502.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0241

Software Service Agreement – Hansen-Infor Information Technologies – Maintenance and Asset Tracking System (M-19)

No budgetary impact.

A motion authorizing the proper City Officials to execute a software service agreement with Hansen-Infor Information Technologies in substantially the form attached – upgrade Hansen-Infor maintenance and asset tracking system.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0236

Downtown Fort Lauderdale Transportation Management Association Additional Funding – Federal Transit Administration Grant (M-20)

\$61,152 is available in GBEACHBUS-3199, FTA-Beach Shuttle Program – Other Professional Services, Fund 129, Subfund 01.

A motion approving 1) increasing Downtown Fort Lauderdale transportation Management association (TMA) allocation from Federal Transit Administration Grant – administrative expense reimbursement, in the amount of \$71,910 and for preventative maintenance reimbursement, in the amount of \$49,845 – Las Olas Beach and Downtown Trolley – October 1, 2009 to September 30, 2010 and 2) allowing TMA to retain local option gas tax savings, in the amount of \$20,396, for payment of prior debt.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0200

Relocation of Fire Station 35 – 1841 East Commercial Boulevard First Amendment To Property Exchange – Shepherd of The Coast Lutheran Church (M-21)

No budgetary impact.

A motion authorizing the proper City Officials to execute a First Amendment to land swap and lease-back agreement for Fire Station 35 – 1841 East Commercial Boulevard – Shepherd of the Coast Lutheran Church – acceleration of demolition.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0246

Competitive Swim Team and Instructional Programming Services (M-22)
Contract Modifications – Fort Lauderdale Aquatics

No budgetary impact.

Motion to approve payment modifications to City's contract with T.E.A.M. Elite Athletic Management International Inc., d/b/a Fort Lauderdale Aquatics for competitive swim team and instructional programming (swimming lessons) services at Aquatic Complex.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0248

Grant Application – Edward Byrne Memorial Justice Assistance (M-23)
Florida Department of Law Enforcement – Operation Last Call IV –
\$52,716

No current year budgetary impact. Matching funds will be budgeted in FY 10/11, subject to the appropriation of the FY 10/11 budget.

A motion authorizing the proper City Officials to apply for grant funds, in the amount of \$52,716, with local cash match of \$5,904 – Florida Department of Law Enforcement – 2010-2011 Edward Byrne Memorial Justice Assistance Grant Program – Operation Last Call IV.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0247

CONSENT RESOLUTION

Amend Operating Budget – Appropriation - \$30,000 (CR-01)
Sponsorship – 2009 New Year's Eve Celebration

\$30,000 in sponsorship funds (revenue) to be appropriated to PKR010402-K384 Other Events, fund 001, subfund 01. Appropriate expenses in the amount of \$30,000 to PKR010402-3299 Other Services, fund 001, subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0203

RESOLUTION NO. 10-48

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, 2009 AND ENDING SEPTEMBER 30, 2010, BY APPROPRIATING CASH

SPONSORSHIP IN THE AMOUNT OF \$30,000 FROM AT&T FOR THE CITY'S 2009 NEW YEAR'S EVE CELEBRATION TO THE GENERAL FUND AND APPROPRIATING EXPENSES IN THE AMOUNT OF \$30,000 INCLUDING PAYMENT OF \$3,900 TO THE EVENT FUNDRAISER JAN BETH IDELMAN, INC. TO THE GENERAL FUND.

**Contract Award – Engineer Control Systems Corporation -
\$624,730 – Bridge Renovations and Painting**

(CR-02)

Please see the funding information on the Bid Tab attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0155

RESOLUTION NO. 10-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AWARD AND EXECUTE A CONTRACT WITH ENGINEER CONTROL SYSTEMS CORPORATION IN THE AMOUNT OF \$624,730.00 AND 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 \$643,411.42 FROM GENERAL CAPTIAL PROJECTS FUND 331 AND TRANSFERRING \$140,000.00 FROM P11527.331-BRIDGE PAINTING TO P11572.331 TO FUND THE CONTRACT AND ADDITIONAL ENGINEERING FEES.

**Task Order 10-01 – Hazen and Sawyer, P.C. –
Not To Exceed \$51,339 – Fiveash Water Treatment Plant –
Polymer Testing**

(CR-03)

Appropriate \$51,339 from Fund 454, Subfund 01, P11246.454-6599 to Fund 450, Subfund 01, PBS670303-3199.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0209

RESOLUTION NO. 10-50

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO

EXECUTE TASK ORDER 10-01 BETWEEN HAZEN AND 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 \$51,339 FOR FIVEASH WATER TREATMENT PLANT POLYMER TESTING.

**Executive Airport and Industrial Airpark
Minimum Lease Rates and Real Estate Brokerage Commission**

(CR-04)

No current budgetary impact. New rate only applies to future leases. None anticipated in current year.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0144

RESOLUTION NO. 10-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA CALLING A PUBLIC HEARING ON MARCH 16, 2010, AT 6:00 O'CLOCK P.M., FOR THE PURPOSES OF ESTABLISHING MINIMUM ANNUAL LEASE RATES AND ADOPTING A BROKERAGE COMMISSION POLICY FOR PROPERTY AVAILABLE FOR LEASE AT FORT LAUDERDALE EXECUTIVE AIRPORT.

**Amend Operating Budget – Appropriation - \$160,000
Aquatic Complex – Dive Well Repairs**

(CR-05)

Appropriation of \$135,000.00 from P11236.331 General Capital Projects Holding Account, Fund Type 30, Fund 331, Subfund 01 to Fund Type 01, Fund 001, Subfund 01, BUS040101-3437 and further appropriate \$25,000.00 from P11236.331 General Capital Projects Holding Account, Fund Type 30, Fund 331, Subfund 01 to Fund Type 01, Fund 001, Subfund 01, BUS040101-6499.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0238

RESOLUTION NO. 10-52

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, 2009, AND ENDING SEPTEMBER 30, 2010, BY APPROPRIATING \$160,000

FROM FUND 331 TO FUND 001 FOR FORT LAUDERDALE ACQUATIC COMPLEX DIVE WELL REPAIRS.

Executive Airport – Parcel 8AB – Consent To Sublease (CR-06)
KC FXE Aviation Investments, LLC With Personal Jet Center, Inc.

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0243

RESOLUTION NO. 10-53

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONSENT TO SUBLEASE, WITH KC FXE AVIATION INVESTMENTS LLC AS SUBLESSOR, AND PERSONAL JET CENTER, INC., AS SUBLESSEE, PERTAINING TO PARCEL 8AB AT FORT LAUDERDALE EXECUTIVE AIRPORT.

Executive Airport – Parcel 8AB – Consent To Sublease (CR-07)
KC FXE Aviation Investments LLC With AOG Aircraft Service, Inc.

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0244

RESOLUTION NO. 10-54

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONSENT TO SUBLEASE, WITH KC FXE AVIATION INVESTMENTS LLC AS SUBLESSOR, AND A.O.G. AIRCRAFT SERVICE INC., AS SUBLESSEE, PERTAINING TO PARCEL 8AB AT FORT LAUDERDALE EXECUTIVE AIRPORT.

Offshore Drilling In Florida Waters (CR-08)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0251

RESOLUTION NO. 10-55

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, EXPRESSING ITS OPPOSITION TO OFFSHORE OIL DRILLING IN FLORIDA WATERS AS HAVING AN ADVERSE IMPACT ON FLORIDA'S ENVIRONMENTAL AND ECONOMIC RESOURCES; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO VARIOUS STATE AND FEDERAL OFFICIALS; PROVIDING FOR AN EFFECTIVE DATE.

Amend Operating Budget – Transfer - \$4,754,060 (CR-09)
American Recovery and Reinvestment Act Grant Appropriations

Amend the Fiscal Year 2009-2010 Operating Budget by appropriating \$4,754,060 from Funds 108 and 129 to Fund 128 as reflected in the American Recovery and Reinvestment Act (ARRA) Grant Appropriations funds transfer which is attached to these minutes; in order to facilitate grant reporting requirements.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0255

RESOLUTION NO. 10-56

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, 2009, AND ENDING SEPTEMBER 30, 2010, BY TRANSFERRING \$4,754,060 IN AMERICAN RECOVERY AND REINVESTMENT ACT GRANT APPROPRIATIONS FROM FUNDS 108 AND 129 TO FUND 128.

PURCHASING AGENDA

503-10433 Referee and Umpire Services - Tournaments (PUR-01)
United States Tennis Association Officials

\$10,288 is budgeted in PKR011001-3213, GF001, Subfund 01.

One year contract to provide professional, United States Tennis Association officials – tournament referee/umpire services.

Recommend: Motion to approve.

Vendor: Association of Tennis Officials Corp.
Delray Beach, FL
Amount: \$10,288.00 (estimated)
Bids Solicited/Rec'd: 556/1
Exhibit: Commission Agenda Report 10-0197

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

409-10439 – Disposal of Scrap Brass Meters (PUR-02)

\$31,832.72. estimated revenue to be credited to Fund 450, Subfund 01, PBS010501, N900.

Disposal of scrap brass meters is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Global Investment Recovery, Incorporated
West Chicago, IL
Amount: \$31,832.72 Estimated Revenue
Bids Solicited/Rec'd: 253/10
Exhibit: Commission Agenda Report 10-0184

The Procurement Services Department has reviewed this item and recommends awarding the sale of scrap brass meters to the high bidder, Global Investment Recovery, Incorporated.

402-10377 – Vending Machine Services (PUR-03)

There is no cost to enter into this contract. The departments will receive commission based on sales of approximately \$9,000 per annum. Public Works to be credited to Fund 450, Subfund 01, Subsidiary 219-000015-3110.

Two-year contract for vending machine services for Public Works and Utilities Administration, Police Department and Mizell Center is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: USA Vending, Inc.
Coral Gables, FL
Amount: \$9,000.00
Bids Solicited/Rec'd: 354/6
Exhibit: Commission Agenda Report 10-0198

The Procurement Services Department has reviewed this item and recommends an award to the high responsive and responsible bidder, USA Vending, Inc.

**602-10385 – Turf Grass Maintenance Services
Stormwater Drainage Ditch – Melrose Park****(PUR-04)**

\$24,045 is available in Fund 470, Subfund 01, PBS660505-3237 Storm Water and \$24,045 is available in Fund 409, Subfund 01, PBS090401-3237 Sanitation.

One-year contract for turf grass maintenance is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Family Lawn Maintenance Inc.
Lake Worth, FL

Amount: \$48,090.00

Bids Solicited/Rec'd: 657/7

Exhibit: Commission Agenda Report 10-0168

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

Kitchen and Laundry Equipment – Fire Stations 3 and 49**(PUR-05)**

\$13,850.96 is available in P10912.336 and \$13,850.96 is available in P10916.336, all in Fund 336, Subfund 01, Subobject 6599.

Purchase kitchen and laundry equipment for Fire Stations 3 and 49 is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: See Background Detail

Amount: \$27,701.92 Split between three vendors

Bids Solicited/Rec'd: 143/5

Exhibit: Commission Agenda Report 10-0193

The Procurement Services Department has reviewed this item and recommends awarding to the lowest responsive and responsible bidders on item by item basis.

The following items were removed from the Consent Agenda:

Motion made by Commissioner Rogers and seconded by Vice Mayor Roberts that Consent Agenda Items CR-02 and M-22 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Vice Mayor Roberts, Commissioner Rodstrom, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

Competitive Swim Team and Instructional Programming Services (M-22)
Contract Modifications – Fort Lauderdale Aquatics

In response to Commissioner DuBose, Cate McCaffrey, Director of Business Enterprises, verified that the City received payment due.

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

Contract Award – Engineer Control Systems Corporation - (CR-02)
\$624,730 – Bridge Renovations and Painting

Commissioner Rodstrom noted her conflict of interest and intention to abstain from voting as she lives in close proximity to this bridge. In response to Mayor Seiler, the City Attorney explained that it is not an actual conflict, only the appearance of one.

Motion made by Commissioner Rogers and seconded by Commissioner DuBose to approve the item as presented. Roll call showed: YEAS: Vice Mayor Roberts, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: Commissioner Rodstrom abstained. A memorandum of voting conflict is attached to these minutes.

MOTIONS

Proprietary – Contractual Construction Services (MD-01)
Underground Fuel Storage Tank Improvements –
Prospect Wellfield - \$30,505

\$30,505 is available to fund this contract and \$3,695 to fund the estimated 12 percent WaterWorks 2011 fees in Fund 482, Subfund 01, P11118.482-6599.

A motion authorizing the proper City Officials to execute a contract with MDM Services, Inc. – construction services for improvements to a 10,000 gallon underground fuel storage tank at Prospect Wellfield, in the amount of \$30,505 – Project 11118B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0137

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

**Police Gun Range – 105-10425 – Maintenance and Repair Services (MD-02)
And Proprietary Hardware and Equipment Replacement**

\$27,900.00 is available in Fund 01, Subfund 001, POL020401, Subobject 3407, Equipment Repair and Maintenance.

Purchase gun range maintenance and repair services from Best Technology Systems, Inc. and bullet trap hardware and equipment from Meggitt Training Systems, Inc., are being presented for approval by Police Department.

Recommend: Motion to approve.

Vendor: Best Technology Systems, Inc., Plainfield, IL
Meggitt Training Systems, Inc., Suwanee, GA

Amount: \$27,900.00

Bids Solicited/Rec'd: 202/2

Exhibit: Commission Agenda Report 10-0192

The Procurement Services Department has reviewed these items and recommends awarding to the first ranked proposer and the proprietary vendor.

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

**Proprietary – Extended On-Site Maintenance – (MD-03)
Parkeon Multi-Space Meters**

\$9,000 is budgeted in Fund 461, Subfund 01: \$6,000 in PAR020102-3404, \$3,000 in PAR020102-3299. The balance of \$9,000 will be included in the FY10/11 budget with Commission approval.

Purchase extended on-site maintenance service for Parkeon multi-space meters in North Beach area is being presented by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Parkeon, Inc.
Moorestown, NJ

Amount: \$18,000

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0199

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

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

RESOLUTIONS

2010 Water and Sewer Revenue Bonds – Not To Exceed \$90,000,000 (R-01)
WaterWorks 2011

See funding information attached to these minutes.

Recommend: Introduce Resolution.

Exhibit: Commission Agenda Report 10-0271

The City Clerk announced there is a minor revision and read the resolution as revised.

Vice Mayor Roberts introduced the following resolution:

RESOLUTION NO. 10-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE ISSUANCE AND SALE OF WATER AND SEWER REVENUE BONDS, SERIES 2010, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$90,000,000 FOR THE PURPOSE OF (i) PAYING A PORTION OF THE COST OF IMPROVEMENTS TO THE CITY'S WATER AND SEWER SYSTEM, (ii) DEPOSITING FUNDS TO THE CREDIT OF THE RESERVE ACCOUNT AND (iii) PAYING THE COST OF ISSUANCE OF THE SERIES 2010 BONDS; FIXING THE FORM AND DENOMINATIONS OF SAID SERIES 2010 BONDS AND PROVIDING FOR THE FIXING OF THE PRINCIPAL AMOUNTS, DATES, RATES OF INTEREST, MATURITY DATES AND REDEMPTION PROVISIONS OF SAID SERIES 2010 BONDS BY THE CITY MANAGER WITHIN THE PARAMETERS SET FORTH HEREIN; AUTHORIZING THE EXECUTION AND DIRECTING THE AUTHENTICATION AND DELIVERY OF SAID SERIES 2010 BONDS; AUTHORIZING THE PUBLIC SALE BY COMPETITIVE BID OF SUCH SERIES 2010 BONDS; APPROVING THE FORM OF OFFICIAL NOTICE OF BOND SALE; AUTHORIZING THE CITY MANAGER TO AWARD THE SERIES 2010 BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; AUTHORIZING THE USE OF A PRELIMINARY OFFICIAL STATEMENT AND THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT WITH RESPECT TO SAID SERIES 2010 BONDS; APPROVING UNCERTIFICATED, BOOK-ENTRY ONLY REGISTRATION OF SAID SERIES 2010 BONDS WITH THE DEPOSITORY TRUST COMPANY; AUTHORIZING MUNICIPAL BOND INSURANCE FOR SAID SERIES 2010 BONDS, IF IN THE BEST INTERESTS OF THE CITY; PROVIDING FOR THE

APPLICATION OF THE PROCEEDS OF SAID SERIES 2010 BONDS; APPOINTING THE CITY AS PAYING AGENT AND BOND REGISTRAR FOR SAID SERIES 2010 BONDS; COVENANTING TO PROVIDE CONTINUING DISCLOSURE IN CONNECTION WITH SUCH SERIES 2010 BONDS IN ACCORDANCE WITH RULE 15c2-12 AND AUTHORIZING THE EXECUTION OF A COMMITMENT WITH RESPECT THERETO; AUTHORIZING OTHER REQUIRED ACTIONS; AND PROVIDING AN EFFECTIVE DATE.

The City Clerk announced language removed from the resolution: 'the reserve account for insurance policy'. In response to Commissioner Rodstrom, Albert del Castillo, the City's Bond Counsel, advised that the language was struck because, in today's market, reserve surety instruments are not readily available. Therefore, the City will fund the reserve requirement with bond proceeds. In further response, Mr. Del Castillo believed that the prior 2008 bond resolution included the ability to obtain a reserve account surety, though the City did not exercise this option.

Which resolution was read by title only. Roll call showed: YEAS: Vice Mayor Roberts, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: Commissioner Rodstrom.

Board and Committee Appointments

(R-02)

No budgetary impact.

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

Cemetery System Board of Trustees	Damon Adams (Vice Mayor Roberts) Cameron LeRoy Mizell (Commissioner DuBose)
Citizens Police Review Board	Roosevelt Walters (Commissioner DuBose – replacing Edwin Parke)
Community Services Board	David Tilbury (Commissioner Rogers)
Nuisance Abatement Board	Tom Wolf (Alternate) (Mayor Seiler)
Audit Advisory Board	Cindy Probeck (Mayor Seiler)

The City Clerk announced that an application for the Audit Advisory Board was received.

Vice Mayor Roberts introduced the following resolution:

RESOLUTION NO. 10-46

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

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

PUBLIC HEARINGS

Dock Waiver Application – Distance Limitations (PH-01)
David and Jennifer Grace – 2873 NE 24 Street

No budgetary impact.

Applicant: David and Jennifer Grace
Location: 2873 NE 24 Street

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

Mayor Seiler announced a site visit and a review of the minutes with the City Manager of the board meetings which lead to this hearing.

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

Vice Mayor Roberts introduced the following resolution:

RESOLUTION NO. 10-47

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.B OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW DAVID GRACE AND JENNIFER GRACE, HUSBAND AND WIFE TO CONSTRUCT AND MAINTAIN AN ELEVATOR TYPE BOATLIFT TO EXTEND INTO THE TRIESTE CANAL APPROXIMATELY 19' FROM THE PROPERTY LINE, SUCH DISTANCES AND PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW.

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

ORDINANCES

Vacate 15 Foot Alley – 1300 SE 10 Avenue – Case 6-P-09 (O-01)
City of Fort Lauderdale – Evergreen Cemetery

No budgetary impact.

Applicant: City of Fort Lauderdale
Location: 1300 SE 10 Avenue
Zoning: Community Facilities CF

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

Vice Mayor Roberts and Commissioner Rogers announced the disclosures were the same as those indicated on first reading. Mayor Seiler announced a site visit.

Vice Mayor Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-10-04

AN ORDINANCE VACATING, ABANDONING AND CLOSING PORTIONS OF THE INTERIOR RIGHTS-OF-WAY AS SHOWN ON THE "REVISED OFFICIAL PLAT OF EVERGREEN CEMETERY", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 5, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING PORTIONS OF SECOND STREET, PALM AVENUE, CYPRESS AVENUE, MYRTLE AVENUE, OLEANDER AVENUE AND POINCIANA AVENUE AND LOCATED SOUTH OF SOUTHEAST 12TH STREET AND EAST OF SOUTHEAST 10TH AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

**Code Amendment – Chapter 26 – Traffic and Parking Rates and Hours (O-02)
Observed Holidays and Add Metered Parking South of NE 13 Street**

No budgetary impact.

Commissioner Rodstrom introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-10-06

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO PARKING AMENDING CHAPTER 26, "TRAFFIC", SECTION 26-1 "DEFINITIONS OF WORDS AND PHRASES" OF THE CODE OF ORDINANCES TO INDICATE THOSE HOLIDAYS CURRENTLY OBSERVED BY THE CITY AND AMENDING SECTION 26-161 "RATES AND HOURS FOR ON AND OFF-STREET PARKING" TO PROVIDE FOR AN ADDITIONAL METERED PARKING AREA IN THE NORTHEAST SECTION OF THE CITY; PROVIDING FOR

SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

Pain Clinics – Moratorium

(O-03)

No budgetary impact.

Commissioner Rogers introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-07

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA ESTABLISHING A MORATORIUM ON THE ISSUANCE OF BUSINESS TAX RECEIPTS FOR THE OPERATION OF “PAIN CLINICS” AND “PAIN MANAGEMENT CLINICS” FOR ONE HUNDRED AND EIGHTY (180) DAYS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

The City Commission adjourned the regular meeting at 6:35 p.m. and returned to the conference meeting, beginning with agenda item I-C, from 6:35 p.m. to 9:40 p.m.

John P. “Jack” Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk