

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING

May 4, 2010

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
May 4, 2010**

Meeting was called to order at 6:07 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1st floor Chambers.

Roll call showed:

Present: Commissioner Bruce G. Roberts
Commissioner Charlotte E. Rodstrom
Commissioner Bobby B. DuBose
Vice Mayor 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 David Cortes

Invocation was offered by Reverend Luis R. Rivera, Saint Pius X Parish, followed by the recitation of the pledge of allegiance led by Ted Fling.

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 Vice Mayor Rogers and seconded by Commissioner Roberts to approve the minutes of the March 2, 2010 Regular, March 16, 2010 and April 6, 2010 Conference Meetings. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

**Grant Acceptance – NE 15 Avenue Landscape Improvements - \$250,000 (CR-15)
Florida Department of Transportation**

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

Mayor Seiler announced that all funding references to index code P10313.129 should be changed to P11491.129.

Qualified Target Industry Program – Kaplan University - (M-18)
\$25,950 and \$37,500 –
Florida Office of Tourism, Trade and Economic Development

Fund 001, Subfund 01, EDV010101-4299, Other contribution - \$25,950 and Fund 001, Subfund 01, EDV010101-4299, Other contribution - \$37,500.

This item was removed from the agenda at the request of the City Manager.

Dock Waiver Application – Distance of Limitations (PH-02)
Ed and Margaret Brin – 609 SW 5 Place

No budgetary impact.

This item was deferred to May 18, 2010 at the request of the City Attorney.

Code Amendment – Chapter 25 – Streets and Sidewalks (O-02)
Undergrounding of Utility Facilities – Special Assessment Program

No budgetary impact.

This item was deferred to May 18, 2010

In response to Commissioner Rodstrom, the City Attorney explained that the current ordinance reflects the deletion of the second election. When it is brought back, it will reflect today's directive to change the sixty-six percent approval requirement to seventy percent.

Amendment to the Pay Plan – Schedules I & II (O-03)

Sufficient funds in the amount of \$1,120,000 are budgeted in General Fund 001, Subfund 01, GEN010201/3199, Other General Government.

This item was removed from the agenda at the request of the City Manager.

Presentations

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

Commissioner Rodstrom recognized May and Kevin Muench who reside in Las Olas Isles as the recipients of the WOW Award for District II. Mr. Muench thanked the Commission.

2. Drinking Water Week – May 2 - 8, 2010 (PRES-02)

Commissioner DuBose presented a proclamation designating May 2 - 8, 2010, as Drinking Water Week in the City to Rick Johnson, Water Facilities Manager. Mr. Johnson thanked the Commission. He elaborated upon the complex process followed by dedicated staff to produce clean drinking water.

3. Building Safety Month – May, 2010 (PRES-03)

Vice Mayor Rogers presented a proclamation designating May, 2010, as Building Safety Month in the City to Chris Augustin, Building Official. Mr. Augustin thanked the Commission for acknowledging the Building Services' role in providing public safety.

4. Public Works Week – May 16 – 22, 2010 (PRES-04)

Commissioner Roberts presented a proclamation designating May 16 – 22, 2010, as Public Works Week in the City to Peter Partington, City Engineer. Mr. Partington thanked the Commission.

5. Distinguished Budget Presentation Award - Office of Management and Budget (PRES-05)

The City Manager announced that the Office of Management and Budget won the Distinguished Budget Presentation Award for Fiscal Year 2009-2010 from the Government Finance Officers Association. Shonda Singleton-Taylor, Acting Director of Office of Management and Budget, accepted the award and acknowledged her staff for their positive contribution.

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 – Lake Ridge Association Block Party Closing NE 10 Avenue (M-01)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Lake Ridge Civic Association, Inc. for Lake Ridge Civic Association Block Party to be held May 15, 2010, 1 PM – 4 PM, in the 1100 block of NE 10 Avenue and closing NE 10 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0513

Revised Event Agreement - Green Dog Day

(M-02)

No budgetary impact.

A motion authorizing and approving execution of revised Event Agreement with 13th Street Alliance, Inc. for Green Dog Day Festival to be held May 16, 2010, 12 Noon – 5 PM on NE 13 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0601

Event Agreement – Where The Boys Are Great American Beach Party

(M-03)

\$20,000 is budgeted in GEN010101-4210, fund type 01, fund 001, subfund 01.

A motion authorizing and approving execution of an Event Agreement with The Broward County Film Society, Inc. for Where The Boys Are Great American Beach Party to be held May 29, 2010, 12 Noon – 10 PM, at Fort Lauderdale beach contingent upon City Attorney's Office receiving and approving a validly executed agreement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0602

Event Agreement – Relay for Life

(M-04)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with American Cancer Society Florida Division, Inc. for Relay for Life to be held at Galleria Mall on May 14 and 15, 2010 and Joseph C. Carter Park, Christ Church and Huizenga Plaza on May 21 and 22, 2010 – from Fridays at 6 PM to Saturdays at 11 AM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0603

Event Agreement – Cinco De Mayo (M-05)
Closing Eastbound Curb Lane in 200 Block of SW 2 Street

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Tarpon Bend Food and Tackle – Riverwalk, Ltd. For Cinco De Mayo to be held May 5, 2010, 5 PM – 9 PM and closing eastbound curb lane in 200 block of SW 2 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0606

Event and Temporary Beach License Agreement – Veterans Awareness (M-06)

No budgetary impact.

A motion authorizing and approving execution of an Event and Temporary Beach License Agreement with Veterans Support Organization, Inc. for Veterans Awareness event to be held May 30 and 31, 2010, 6 AM – 9 PM, on the beach at Las Olas Boulevard.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0637

Event Agreement – Mother’s Day March (M-07)
Closing Westbound Curb Lane of Sistrunk Boulevard

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Team of Life, Inc. for Mother’s Day March to be held on Sistrunk Boulevard and Lincoln Park on May 8, 2010, 2:30 PM – 6 PM and closing westbound curb lane of Sistrunk Boulevard from NW 7 Avenue to Lincoln Park contingent upon City Attorney’s Office receiving and approving a validly executed agreement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0641

Event Agreement – Flipany Health and Fitness Festival (M-08)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Florida Introduces Physical Activity and Nutrition to Youth Incorporated (FLIPANY) for FLIPANY

Health and Fitness Festival to be held May 15, 2010, 10 AM – 4 PM, at Huizenga Plaza contingent upon City Attorney's Office receiving and approving a validly executed agreement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0648

Transfer Funds Between Waterworks 2011 Projects - \$1,500 (M-09)
North Andrews Avenue Large Water Main Improvements

Please see the funding information attached to these minutes.

A motion authorizing transfer of funds between WaterWorks 2011 projects, in the amount of \$1,500 – additional work – North Andrews Avenue large water main improvements – Project 11061.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0530

Acceptance of Gift from 13th Street Alliance – Three Statues (M-10)
Business Capital Improvement Grant Program

Please see the funding information attached to these minutes.

A motion accepting formal ownership of three statues as a gift from 13th Street Alliance – Business Capital Improvement Grant Program – Project 11499.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0673

Contract Award – Weekley Asphalt Paving, Inc. - \$630,290.60 (M-11)
Annual Asphaltic Concrete Pavement Surfacing

Please see the funding information attached to these minutes.

A motion authorizing the proper City Officials to award and execute a contract with Weekley Asphalt Paving, Inc., in the amount of \$630,290.60 – 2009-2010 Annual Asphaltic Concrete Pavement Surfacing – Central Beach North, Lauderdale Beach, Coral Ridge – Project 11524.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0646

Contract Award – Onel Associates, LLC – Entry Monuments - \$70,532.07 (M-12)
Neighborhood Capital Improvement Program – River Garden Sweeting Estates

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

A motion authorizing the proper City Officials to award and execute contract with Onel Associates, LLC, in the amount of \$70,532.07 – installation of entry monuments – River Garden Sweeting Estates Homeowner Association, Inc. – Neighborhood Capital Improvement Program – Project 11098.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0651

Contract Award – Onel Associates, LLC - \$41,452.26 - (M-13)
Decorative Street Amenities Neighborhood Capital Improvement Program –
River Garden Sweeting Estates

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

A motion authorizing the proper City Officials to award and execute a contract with Onel Associates, LLC in the amount of \$41,452.26 – installation of decorative street posts and signs – River Garden Sweeting Estates Homeowner Association, Inc. – Neighborhood Capital Improvement Program – Project 11506.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0652

Change Order 3 – Developers Surety and Indemnity Company - \$44,350 (M-14)
Joseph C. Carter Park Gym – Pool Building – Restroom Renovations

Please see the funding information attached to these minutes.

A motion authorizing Change Order 3 with Developers Surety and Indemnity Company, in the amount of \$44,350 – Joseph C. Carter Park Gym – Pool Building – Restroom Renovations – complete remaining work – Project 11275.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0632

Change Order 4 – Burke Construction Group, Inc. (M-15)
Osswald Park – Credit (\$43,356.52)

Please see the funding information attached to these minutes.

A motion authorizing Change Order 4 with Burke Construction Group, Inc. in the amount of CREDIT (\$43,356.52) – Osswald Park – Project 11306.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0657

Change Order 3 – Quinn Construction, Inc. - \$50,821.23 (M-16)
Rehabilitation of SW 11 Avenue Swing Bridge

Please see the funding information attached to these minutes.

A motion authorizing the Proper City Officials to execute Change Order 3 with Quinn Construction, Inc., in the amount of \$50,821.23 – additional work – rehabilitation of SW 11 Avenue Swing Bridge – Project 10057.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0658

Maintenance Facility – Executive Airport – (M-17)
Purchase Order Amendment Funds Transfer –
Florida Department of Transportation Grant - \$400,000

Please see the funding information attached to these minutes.

A motion authorizing the proper City Officials to 1)amend purchase order for Gates-Butz Institutional Construction, LLC – maintenance facility – Executive Airport – Project 11181- include grant funding, in the amount of \$400,000, from Florida Department of Transportation and 2)transfer \$400,000 to Landbanking Program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0433

Qualified Target Industry Program – Kaplan University - (M-18)
\$25,950 and \$37,500 –
Florida Office of Tourism, Trade and Economic Development

Fund 001, Subfund 01, EDV010101-4299, Other contribution - \$25,950 and Fund 001, Subfund 01, EDV010101-4299, Other contribution - \$37,500.

A motion authorizing the City's portion of two payments to Florida Office of Tourism, Trade and Economic Development – Qualified Target Industry Program – IOWA College Acquisition Corp. d/b/a Kaplan University - \$25,950 and \$37,500.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0309

This item was removed from the agenda at the request of the City Manager.

Amendment to Lease Agreement – Sixty-Seven Month Term Extension (M-19)
Office Space – Benefits, Public Information, Risk and Grants

Grants - \$36,398.88, General Fund, Subfund 01, MGR020101, Subobject 3319. PIO - \$72,797.76, General Fund, Subfund 01, PUB010101, Subobject 3319 Risk - \$58,931.52, City Insurance Fund (543), Subfund 01, FIN030101, Subobject 3319 Sister Cities - \$5,199.84, General Fund, Subfund 01, GEN010201, Subobject 3319.

A motion authorizing the proper City Officials to execute amendment to lease agreement with Caproc Third Avenue, LLC, in the amount of \$160,984.64 per year with 3% annual increases – sixty-seven month extension – October 1, 2009 – December 31, 2015 – Benefits, Public Information, Risk and Grants Office Space – 101 NE 3 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0605

Amendment to Lease Agreement – Marine Facilities Office - \$23,249.80 (M-20)
One-Year Term Extension

\$9,544.05 is available in BUS020101, subobject 3319-Office Space Rent, Fund 001, Subfund 01. \$13,705.75 projected to be available in BUS020101, Subobject 3319 – Office Space Rent, Fund 001, subfund 01 upon authorization of the 2011 operating budget. Please see the funding information on the Bid Tab attached to these minutes.

A motion authorizing the proper City Officials to execute amendment to lease agreement with Azorra Properties, Inc. in the amount of \$23,249.80 – one-year term extension and increased rate – May 1, 2010 through April 30, 2011 – Marine Facilities Office – 408 South Andrews Avenue, Suites 102 and 103.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0278

Contract Award – H & J Contracting, Inc. - \$667,396.02 (M-21)
Northwest Neighborhood Improvements

Please see the funding information on the Bid Tab attached to these minutes. Transfer of \$303,875.22 in NW CRA funds from P10015.106 to P11485.

A motion authorizing the proper City Officials to award and execute contract with H & J Contracting, Inc., in the amount of \$667,396.02 – Northwest Neighborhood Improvements – Project 11485, plus 10 percent contingencies and 10 percent engineering fees for a total of \$800,920.34, contingent upon Community Redevelopment Agency Board appropriating funding different between grant and total project cost.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0660

Disbursement of Funds/Joint Investigation/O.R. 05-68918 (M-22)
Law Enforcement Trust Fund

\$1,016.62 is available in Fund 107 (DEA Confiscated property), Subfund 01 (Justice Task Force), in account GL 219-068918 (Deposits Trust).

A motion authorizing the equitable disbursement of \$1,016.62 with each of the thirteen participating law enforcement agencies to receive \$78.20.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0541

Automated Red Light Camera Traffic Enforcement System (M-23)
Revocable License Agreement – American Traffic Solutions

No budgetary impact.

A motion authorizing the proper City Officials to execute a revocable license agreement with American Traffic Solutions – authorizing installation of red light camera system traffic monitoring equipment on City owned property or City right of way for listed intersections and indemnifying City.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0668

Settlement of General Liability File – GL09-693C - \$50,000 (M-24)

Funds are budgeted in Fund 543/01, INS010101-5113 (General Liability Claims). There are sufficient funds to pay the \$50,000.

A motion authorizing settlement of General Liability File GL 09-693C – Domonick McClanahan - \$50,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0581

CONSENT RESOLUTION

Grant Acceptance – Snyder Park – Quadrant 4 - \$50,000 (CR-01)
Land Stewardship Program – Partners in Preservation

Appropriate \$50,000 in revenue to GSNYDER10A F733, expenses of \$50,000 in GSNYDER10A-3913: both fund 129, subfund 01, misc. county grant fund.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0592

RESOLUTION NO. 10-123

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF PARTNERS IN PRESERVATION LAND STEWARDSHIP PROGRAM GRANT FUNDS IN THE AMOUNT OF \$50,000 FROM BROWARD COUNTY FOR SNYDER PARK, QUADRANT 4; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS INTO FUND 129.

Grant Acceptance – Snyder Park – Quadrant 1 - \$50,000 (CR-02)
Land Stewardship Program – Partners In Preservation

Appropriate \$50,000 in revenue to GSNYDER10 F733, expenses of \$50,000 in GSNYDER10-3913: both fund 129, subfund 01, misc. county grant fund.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0593

RESOLUTION NO. 10-124

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF PARTNERS IN PRESERVATION LAND STEWARDSHIP PROGRAM GRANT FUNDS IN THE AMOUNT OF \$50,000 FROM

BROWARD COUNTY FOR SNYDER PARK, QUADRANT 1; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS INTO FUND 129.

Grant Acceptance – Bill Keith Preserve - \$50,000 (CR-03)

Land Stewardship Program – Partners In Preservation

Appropriate \$50,000 in revenue to P11183.129D F733, expenses of \$50,000 in P11183.129D-6499: both fund 129, subfund 01, misc. county grant fund.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0594

RESOLUTION NO. 10-125

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF PARTNERS IN PRESERVATION LAND STEWARDSHIP PROGRAM GRANT FUNDS IN THE AMOUNT OF \$50,000 FROM BROWARD COUNTY FOR BILL KEITH PRESERVE; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS INTO FUND 129.

Grant Acceptance – Warbler Wetlands - \$15,000 (CR-04)

Land Stewardship Program – Partners In Preservation

Appropriate \$15,000 in revenue to Gwarbler10 F733, expenses of \$15,000 in gwarbler10-3913: both fund 129, subfund 01, misc. county grant fund.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0595

RESOLUTION NO. 10-126

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF PARTNERS IN PRESERVATION LAND STEWARDSHIP PROGRAM GRANT FUNDS IN THE AMOUNT OF \$15,000 FROM BROWARD COUNTY FOR WARBLER WETLANDS, PHASE II; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS INTO FUND 129.

Grant Acceptance – Coral Ridge Park - \$75,000 (CR-05)
Land Stewardship Program – Parks for People

Appropriate \$75,000 in revenue to P11184.129B F733, expenses of \$75,000 in P11184.129B-6499: both fund 129, subfund 01, misc. county grant fund.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0596

RESOLUTION NO. 10-127

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF PARKS FOR PEOPLE LAND STEWARDSHIP PROGRAM GRANT FUNDS IN THE AMOUNT OF \$75,000 FROM BROWARD COUNTY FOR CORAL RIDGE PARK; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS INTO FUND 129.

Lewis Landing Park – Deed of Conservation Easement (CR-06)
630 SW 9 Avenue

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0633

RESOLUTION NO. 10-128

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEED OF CONSERVATION EASEMENT FOR LEWIS LANDING PARK (FORMERLY KNOWN AS TARPON BEND PARK), IN COMPLIANCE WITH THE FINAL RESOURCE MANAGEMENT PLAN AND THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR SUCH LANDS.

**Amend Operating Budget – Appropriation and Transfer
Fort Lauderdale Stadium Operations**

(CR-07)

Appropriate \$154,331 from fund balance general fund FD001 fund 001, subfund 01 subobject 9901, to general fund PKR061401 all fund 001, subfund 01, \$65,331 in subobject 1107, salaries, \$15,000 in subobject 3437, \$49,000 in subobject 3601, \$25,000 to subobject 3999 supplies. Transfer \$8,720 from general fund BUS090101 fund 001, subfund 01 subobject 4372 to general fund PKR061401 all fund 001, subfund 01, subobject 4372, Transfer \$4,050 from general fund BUS090101 fund 001, subfund 01, subobject 4373 to general fund PKR061401 all fund 001, subfund 01, subobject 4373.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0649

RESOLUTION NO. 10-129

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 \$154,531.00 FROM GENERAL FUND 001 TO GENERAL FUND/OPERATIONS 001/01, AND TRANSFERRING \$12,770.00 FROM BUSINESS ENTERPRISE GENERAL FUND/OPERATIONS 001/01 TO PARKS & RECREATION GENERAL FUND/OPERATIONS 001/01.

Amend Operating Budget – Appropriation - \$157,653
Executive Airport – Taxiway Golf Relocation

(CR-08)

Please see the funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0607

RESOLUTION NO. 10-130

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 \$157,653 OF GRANT FUNDS TO AIRPORT FUND 468, SUBFUND 02, P11453.468A, SUBFUND 6599 AND REVENUE SUBOBJECT C404.

Contract Extension – Molloy Bros. Inc. - \$768,790
Annual Utilities Repair Contract

(CR-09)

Please see the funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0572

RESOLUTION NO. 10-131

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT EXTENSION WITH MOLLOY BROS. INC. 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 \$868,432.50 FOR THE ANNUAL CONTRACT 2010-2011 UTILITIES REPAIR PROJECT 11612 AND TRANSFER \$31,051.80 TO COMPLETE THE FUNDING OF THE CONTRACT EXTENSION.

**Task Order 5 – EE&G Environmental Services, LLC
Source Removal of Soils - \$108,000**

(CR-10)

Please see the funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0589

RESOLUTION NO. 10-132

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE TASK ORDER 5 WITH EE&G ENVIRONMENTAL SERVICES, LLC FOR SOURCE REMOVAL OF SOILS AND AMENDING THE FINAL 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 \$108,000 TO FUND SAID TASK ORDER.

**Contract Award – Itran Partners Inc. – Lighting Improvements -
\$104,584.50 – Neighborhood Capital Improvement Program - Riverwalk**

(CR-11)

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

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0656

RESOLUTION NO. 10-133

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 NEIGHBORHOOD CONTRIBUTIONS IN THE AMOUNT OF \$35,000.00 FROM THE DOWNTOWN DEVELOPMENT AUTHORITY TO FUND 331, SUBFUND 01 AS A REQUIRED MATCH FOR A 2009 NEIGHBORHOOD CAPITAL IMPROVEMENT PROGRAM GRANT AND IN CONNECTION WITH A CONTRACT WITH ITRAN PARTNERS, INC. IN THE AMOUNT OF \$104,584.50 FOR LIGHTING IMPROVEMENTS ON RIVERWALK.

Grant Acceptance – Local Agency Program Agreement - \$259,222 (CR-12)
Safe Route to School – Harbordale Elementary School - Sidewalk

Please see the funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0659

RESOLUTION NO. 10-134

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) IN CONNECTION WITH THE HARBORDALE ELEMENTARY SCHOOL SIDEWALK INSTALLATION PROJECT ON SE 10TH AVENUE FROM SE 12TH STREET TO SE 17TH STREET.

Grant Acceptance – Local Agency Program Agreement - \$36,022 (CR-13)
Safe Route to School – Thurgood Marshall Elementary School - Sidewalk

Please see the funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0661

RESOLUTION NO. 10-135

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) IN CONNECTION WITH THE INSTALLATION OF A NEW SIDEWALK FOR THURGOOD MARSHALL ELEMENTARY SCHOOL ON NW 7TH TERRACE BETWEEN NW 12TH STREET AND NW 13TH STREET.

Grant Acceptance – Sunrise Boulevard Streetscape - \$500,000 (CR-14)
Florida Department of Transportation

Please see the funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0663

RESOLUTION NO. 10-136

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 \$500,000.00 IN GRANT FUNDS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION TO FUND 129, SUBFUND 01 AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE SUNRISE BOULEVARD STREETScape PROJECT.

Grant Acceptance – NE 15 Avenue Landscape Improvements - \$250,000 (CR-15)
Florida Department of Transportation

Please see the funding information* attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0672

RESOLUTION NO. 10-137

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 \$250,000.00 IN GRANT FUNDS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION TO FUND 129, SUBFUND 01 AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH NE 15TH AVENUE MEDIAN LANDSCAPE BEAUTIFICATION PROJECT.

*Item was revised.

Executive Airport Taxiways Charlie and Delta Rehabilitation - \$2,527,500 (CR-16)
Joint Participation Agreement – Florida Department of Transportation

Please see the funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0566

RESOLUTION NO. 10-138

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (FDOT), TO PROVIDE FDOT PARTICIPATION IN A REHABILITATION OF TAXIWAYS C & D PROJECT (FINANCIAL PROJECT NO.: 420763-1-94-01) AND AMENDING THE FINAL 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 IN THE AMOUNT UP TO \$2,527,500 FOR UP TO 80% OF THE PROJECT COST AT THE FORT LAUDERDALE EXECUTIVE AIRPORT.

Executive Airport Taxiway Golf Relocation Design - \$3,750 (CR-17)
Joint Participation Agreement – Florida Department of Transportation

Please see the funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0567

RESOLUTION NO. 10-139

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (FDOT), TO PROVIDE FDOT PARTICIPATION IN A PROJECT TO DESIGN TAXIWAY G (FINANCIAL PROJECT NO.: 420765-1-94-01) AND AMENDING THE FINAL 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 IN THE AMOUNT UP TO \$3,750 FOR UP TO 2.5% OF THE PROJECT COST AT THE FORT LAUDERDALE EXECUTIVE AIRPORT.

Intersections – Automated Red Light Camera Traffic Enforcement System (CR-18)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0653

RESOLUTION NO. 10-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING INTERSECTIONS CONTROLLED BY A TRAFFIC CONTROL SIGNAL IDENTIFIED BY POLICE DEPARTMENT FOR INSTALLATION OF TRAFFIC CONTROL SIGNAL MONITORING SYSTEMS PURSUANT TO CHAPTER 26, ARTICLE VII TRAFFIC INTERSECTION SAFETY ACT.

PURCHASING AGENDA

505-10395 – Paddleboard Activities Concession

(PUR-01)

Revenue first year only \$7200 to be deposited into PKR033201-K153, general fund GF001, subfund 01.

Three-year contract for paddleboard activities concession at George English Park is being presented for approval by Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Paddles and Boards, Inc.
Hollywood, FL

Amount: \$23,400.00 Revenue (3-year term)

Bids Solicited/Rec'd: 362/1

Exhibit: Commission Agenda Report 10-0463

The Procurement Services Department has reviewed this item and recommends award to the single proposer.

705-10472 – Updated Analysis of Impediments to Fair Housing (PUR-02)

\$14,500 in Index Code CD10ADM, SOB 8001, Fund 108, Subfund 01. \$10,000 in Index Code CD101750, SOB 8001, Fund 108, Subfund 01. Please see the funding information on the Bid Tab attached to these minutes.

Award Community Development Block Grant Program funds for updated analysis of impediments to fair housing and fair housing activities needed to address identified impediments.

Recommend: Motion to approve.

Vendor: Carras Community Investment, Inc., Fort Lauderdale, FL
Housing Opportunities Project for Excellence, Inc. -
(HOPE, Inc.), Miami Gardens, FL

Amount: \$24,500.00 (not to exceed)

Exhibit: Commission Agenda Report 10-0628

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

603-10485 – Curbside Recycling Bins – Contract Award and Termination of Existing Contract with SCL A-1 Plastics Ltd. (PUR-03)

\$43,600 is budgeted in Sanitation Fund 409, PBS090601, Subfund 01, Subobject 3943.

One-year contract for purchase of 18-gallon recycling bins and termination of current contract 683-10073-2 with SCL A-1 Plastics Ltd. is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: ORBIS Corporation
Oconomowoc, WI

Amount: \$43,600.00

Bids Solicited/Rec'd: 230/8

Exhibit: Commission Agenda Report 10-0583

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

202-10460 – Installation and Repair of Chainlink and Picket Fences (PUR-04)

No budgetary impact. Purchases are made on an as-needed basis and charged to individual budgets per available funds and in accordance with unit pricing.

Two-year contract for installation and repair of chainlink and picket fences is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Pontifex Construction Group, Inc., Miami, FL
Liberal Fence Services "LLC", Sunrise, FL

Amount: \$80,000.00 Estimated/Yr.

Bids Solicited/Rec'd: 553/12

Exhibit: Commission Agenda Report 10-0584

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

402-10500 – Bridge Tending Services – SW 11 Avenue Swing Bridge (PUR-05)

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

One-year contract for bridge tending services – SW 11 Avenue – is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: ISS C&S Building Maintenance Corporation
San Antonio, TX

Amount: \$138,335.00 Annually

Bids Solicited/Rec'd: 965/2

Exhibit: Commission Agenda Report 10-0585

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

682-10030 – Contract Extension (PUR-06)
Water Extraction and Remediation of Water Damage and Mold Impact

No budgetary impact. Purchases are made on an as-needed basis and charged to individual budgets per available funds and in accordance with unit pricing.

One-year contract extension for water extraction and remediation of water damage and mold impact services is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: All County Remediation, Inc., Fort Lauderdale, FL
Decon Environmental & Engineering, Inc.,
Fort Lauderdale, FL

Amount: unit prices

Bids Solicited/Rec'd: 266/13

Exhibit: Commission Agenda Report 10-0586

The Procurement Services Department has reviewed this item and recommends approval of a one-year contract extension.

103-10499 - Ammunition

(PUR-07)

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

Purchase ammunition for monthly training programs and department issue on-duty ammunition is being presented for approval by Police Department.

Recommend: Motion to approve.

Vendor: Florida Bullet Incorporated, Clearwater, FL
Lawmen's and Shooters' Supply, Inc., Vero Beach, FL

Amount: \$77,335.65

Bids Solicited/Rec'd: 559/2

Exhibit: Commission Agenda Report 10-0591

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

The following items were removed from the Consent Agenda:

Motion made by Commissioner Roberts and seconded by Commissioner DuBose that Consent Agenda Items M-05, M-06, M-10, M-14, M-15, M-16, M-19, M-20, M-23, CR-01, CR-02, CR-03, CR-04, CR-05, CR-12, CR-18, PUR-03, 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: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Event Agreement – Cinco De Mayo

(M-05)

Closing Eastbound Curb Lane in 200 Block of SW 2 Street

Vice Mayor Rogers questioned whether a start time later than 5 p.m. should be implemented due to downtown rush hour traffic. Phil Thornburg, Parks and Recreation, pointed out that the lane in question is the eastbound curb lane, and that most evening rush hour traffic is headed westbound on SW 2 Street, therefore he did not think it would be much of an inconvenience. He understood from staff it was done this way last year. Police Captain Michael Gregory verified that there would not be a full road closure. Four parking spaces would be used to house a band. There would be any encroachment on traffic flow. The four parking spaces were not used by the event holder last year. He reiterated his belief that traffic flow would be normal.

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

Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Event and Temporary Beach License Agreement – Veterans Awareness (M-06)

In response to Commissioner Rodstrom, Justin Wells, representing the Veterans Support Organization, indicated that this is the first Veterans Awareness event. He elaborated upon suicide statistics for veterans, and highlighted points in Commission Agenda Report 10-0637. He confirmed approval from the Environmental Protection Agency (EPA), and completion of all City requirements.

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

Acceptance of Gift from 13th Street Alliance – Three Statues (M-10)
Business Capital Improvement Grant Program

Vice Mayor Rogers questioned the City's liability for structures in the median. The City Attorney warned of the potential liability if someone hits the statue and sustains injury. The statues must be properly engineered and should include a break-away base. He went on to provide historical background including that the previous Commission did not approve a previous request. In further response, the City Attorney indicated that this is a gift for acceptance, and was unsure how the City would be relieved of responsibility for replacement or damage. He has not looked at it from that standpoint.

Katharine Barry, president of 13th Street Alliance, noted the previous Commission approved a business capital improvement grant with the knowledge that it was for these sculptures. She articulated that a bid process was completed and George Behan was selected as the contractor, and approved by the City's engineering division. Mr. Behan has experience working in the city rights-of-way. The City's engineering division drew the plans for the bases. The sculptures are one-of-a kind and as such could not be replaced. She believed that the City is not liable for damages or personal injury. She compared the statues to trees, claiming that an individual running into a statue is not any different in terms of liability as one who hits a tree, and there are many tree-lined medians. The Alliance plans to install lighting and plant flowers around the statues to enhance visibility at night. She stressed the neighborhood's excitement about the statues. Mr. Behan has already begun installation and this item, which was previously approved by the Commission, reflects only a minor change to the engineering plans. Mayor Seiler and Ms. Barry reviewed and discussed historical information in Commission Agenda Report 10-0673. Mayor Seiler expressed his support of the item as long as the City is not responsible for any loss or replacement, and questioned how this could be verified. The City Attorney articulated that an agreement must be in place to indemnify the City for loss. The Alliance defines loss as damage to the item itself; however, he thought that the Commission's prior approval was based on indemnifying the City against loss from claims of others. Ms. Barry advised that the Alliance is a civic group without the means to provide indemnification against loss from claims. She

confirmed that the City will not be responsible for any loss or replacement of the statues. Vice Mayor Rogers believed that it was unwise to move forward without an agreement. Ms. Barry reiterated that installation has begun, an unveiling is already scheduled and that the project was previously approved by the Commission. This is just a small change in the plans.

In response to Commissioner DuBose, the City Attorney advised that a tree and a statue in the right-of-way create the same kind of liability if they are not engineered properly. Factors such as the road's speed limit and layout must be considered. If a tree or a statue in a City median creates a danger, the City is equally liable. Ms. Barry pointed out that there are numerous trees in medians throughout the city, emphasizing that the statues will contribute to the area as an arts district. She asserted that the statues can only be placed in the median and there are no curves in the road. The City designed the bases. Vice Mayor Rogers indicated that, (in terms of claims), the public is more understanding of a tree placed in a median than a statue. Mayor Seiler noted that the statues are entirely within the median. Ms. Barry verified that the City helped to select the medians and the placement. Peter Partington, City Engineer, confirmed that the plans were drawn by staff, though they were not included in the backup.

Mayor Seiler advised that this item would be momentarily deferred until the plans were provided for review.

Continued on Page 26.

Change Order 3 – Developers Surety and Indemnity Company - \$44,350 (M-14)
Joseph C. Carter Park Gym – Pool Building – Restroom Renovations

In response to Vice Mayor Rogers, the City Attorney believed the additional funds spent on construction represent work beyond the original scope for circumstances that arose after the contract was signed. The bonding company is stepping in. Albert Carbon, Public Works Director, explained the change order was presented to the previous contractor as he was beginning to go out of business. The City Attorney's office brought in the surety to complete the work. Because the work was not part of the contract at that time, the City had to enter into the contract with the surety and then bring back this change order. It was then renegotiated. He confirmed that the City is not paying for what the surety should cover.

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

Change Order 4 – Burke Construction Group, Inc. (M-15)
Osswald Park – Credit (\$43,356.52)

Commissioner DuBose questioned the funding source. Albert Carbon, Public Works Director, verified that this is a credit to the contract. Phil Thornburg, Director of Parks and Recreation, explained that the City had a limited budget on this item; there was

County and State grant funding. The bid was higher than available funding. It was value engineered to get it within budget. All of the prior decisions on changes were approved by the Commission. Commissioner DuBose questioned whether the City put any funding into this project. Mr. Thornburg offered to provide a breakdown of the project's funding. He indicated that most of the funding came from the County and State. Albert Carbon, Public Works Director, explained that the returned funds originated from the General Fund, Capital Projects, which were used to award the contract with the understanding that they would be returned in the form of a credit. He believed the original amount from the General Fund was approximately \$60,000, explaining that there were some necessary additions. Commissioner DuBose questioned whether the City was over-budget. Mr. Carbon confirmed that the City was at 5.31 percent for change orders; within the ten percent contingency stated in the contract.

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

Change Order 3 – Quinn Construction, Inc. - \$50,821.23 (M-16)
Rehabilitation of SW 11 Avenue Swing Bridge

Commissioner Rodstrom questioned the total amount for change orders. Albert Carbon, Public Works Director, highlighted this information provided in Commission Agenda Report 10-0658; \$155,000 or 4.56 percent.

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

Continued from Page 25

Acceptance of Gift from 13th Street Alliance – Three Statues (M-10)
Business Capital Improvement Grant Program

Mr. Carbon displayed and reviewed the plans, elaborating upon the location and specifications of each statue. In response to Mayor Seiler, he verified that staff coordinated with the residents, adjusting the placement.

Commissioner Rodstrom recalled that the Alliance and staff have worked on this project for some time. She felt that 13th Street is in need of enhancements to promote business, and expressed her support. In response to Vice Mayor Rogers, Ms. Barry advised that the Alliance is a volunteer group, not insured. If something happens to a statue, they do not expect the City to replace it. Their dues are very minimal. The City Attorney pointed out that, unless the Alliance provides insurance coverage, the statues will be the City's responsibility because they are located in the median. In response to Ms. Barry, Mayor Seiler emphasized that the City is responsible if there is an accident and it is found that the placement is incorrect. He expressed concern that the item had previously been

moved forward, despite liability issues. The City Attorney noted that the prior Commission had included language to indemnify the City against loss. Vice Mayor Rogers indicated the letter (from Ms. Barry, representing the Alliance, Exhibit 4 of Commission Agenda Report) says that the City would not be responsible for damages, loss or replacement of the sculptures. Ms. Barry advised that was her intent. Commissioner Rodstrom wondered if there are similar liability issues for statues in other parts of the city such as Harbor Beach. Mayor Seiler confirmed that there are liability issues for any statue located in a city median. Commissioner Rodstrom believed that a precedent was set because the prior Commission's action. There are statues in other neighborhoods. Vice Mayor Rogers expressed concern about exposing the City to liability. Commissioner Rodstrom suggested that the Commission develop a policy for the future. Vice Mayor Rogers reiterated his concern. Commissioner DuBose reiterated the City Attorney's statement regarding equal liability for statues and trees and that consequently the City would have to stop planting trees in the medians. Vice Mayor Rogers believed that juries understand trees in medians. In response to Mayor Seiler, the City Attorney indicated that this item does not seem to comport with the language approved by the previous Commission. The current proposal is that the statues are being donated to the City so there is no reason to indemnify the City for loss. Mayor Seiler suggested a condition that the City is under no obligation to maintain, replace or repair the statues. Vice Mayor Rogers pointed out Ms. Barry's confirmation that the Alliance does not have any assets. Ms. Barry emphasized that these statues were donated and there is another sculptor who would like to provide more if they need to be replaced. She questioned whether other neighborhoods have to assume liability for monuments at the beginning of the neighborhoods. She recalled that liability issues were discussed at length by the prior Commission. In response to Mayor Seiler, the City Attorney believed that the City does not require indemnification from neighborhoods for gatehouses. The City Attorney explained that the statues are a gift to the City and a condition of the acceptance could be at the City's sole discretion, the statues can be removed at any time and if stolen or damaged, there is no obligation to replace them.

Motion made by Commissioner DuBose and seconded by Commissioner Roberts to approve the item with the condition of acceptance noted above. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: Vice Mayor Rogers.

Amendment to Lease Agreement – Sixty-Seven Month Term Extension (M-19)
Office Space – Benefits, Public Information, Risk and Grants

In response to Vice Mayor Rogers' questions about space utilization, Stephen Scott, Director of Economic Development, advised that it was more cost effective for the lessor to give the City the entire suite than to do a build-out. The same City work units would move into the space. He pointed out a diagram of the layout in the commission agenda report. Their plan is to occupy the 8,200 square feet because there is only assurance that the City will have the additional square footage for only the first three years. Vice Mayor Rogers asked about Marine Facilities using the space as their lease is pending renewal. Mr. Scott believed it was important for their operations to remain located on the New River. Mayor Seiler emphasized that Marine Facilities needs to be located on the river for the purposes of monitoring and supervising the slips and serving the public. He agreed that the additional space should be utilized, but did not feel Marine Facilities should be moved. Cate McCaffrey, Director of Business Enterprises, confirmed that the

Marine Facilities' current location is within walking distance of the slips on the river, and elaborated upon the services provided to the public from that location. A dock master operation generally has a dockside office. Vice Mayor Rogers asked about Marine Facilities operating with a smaller space on the river and use the other space as well to save money. Ms. McCaffrey understood that there is not an excess of office space on the river and the marine offices have been in that building since 1968. She thought that the rental fee is reasonably priced for the area. Vice Mayor Rogers noted there were provisions for upgrades in the earlier lease but they did not happen. Leases are being renewed annually, though rates are not being reduced. He wondered if a different approach should be taken. Ms. McCaffrey felt it is important for the marine offices to stay in their current location. She felt that non-riverfront offices would negatively impact the operation. Andrew Cuba, Marine Facilities Manager, noted that the building is old. Interior improvements may be made in the future. Nonetheless, the space is very functional for their purposes and key to their operations.

Mayor Seiler requested that other City offices currently paying rent be considered for occupying this additional space, which is essentially free of charge. Mr. Scott verified that an analysis will be performed; however, because the lease is not yet approved, a conservative approach was taken, focusing on offices in need of lease renewals. Commissioner Roberts agreed, suggesting that a follow-up analysis be provided within a month timeline.

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

Amendment to Lease Agreement – Marine Facilities Office - \$23,249.80 (M-20)
One-Year Term Extension

Vice Mayor Rogers no longer had any questions.

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

Automated Red Light Camera Traffic Enforcement System (M-23)
Revocable License Agreement – American Traffic Solutions

Commissioner Rodstrom advised because she did not know if the Governor has approved the correlating state legislation, she wanted to vote no. In response to Mayor Seiler, she confirmed her support of the cameras for safety purposes, but not as a means for revenue which she believed is the case. She wanted to see what the state will be doing. In response to Commissioner DuBose, Police Captain Michael Gregory advised that the original revenue analysis was based on the ordinance calling for \$125 per violation. The proposed state legislation calls for \$158 per violation, of which only \$75 goes to the City; therefore, a budget adjustment will be made. An analysis is

currently being performed to determine the amount of the adjustment. Commissioner DuBose inquired whether the Commission must vote on the item tonight. Captain Gregory explained that permits are in process for some of the locations with respect to the necessary construction.

Mayor Seiler inquired why the Commission should vote on the item tonight as there are still unanswered questions. Captain Gregory elaborated upon why the item was nevertheless put forward this evening and indicated staff will be meeting with the vendor this week. In response to Commissioner DuBose, Captain Gregory advised their goal is to have a completed analysis in two weeks.

In response to Commissioner DuBose, David Hebert, Assistant City Manager, noted that the Commission is being asked to allow staff to move the process forward by obtaining permits for camera installations. He believed it is best to stay on track with the plans, while simultaneously considering the implications of the pending state legislation. The governor's deadline is May 15, 2010, Commissioner Roberts thought that tonight's issue is approval of the intersections for enforcement only. Bob Dunckel, Assistant City Attorney, articulated that the item is a revocable license which provides authorization to place the equipment in certain intersections and certain city-owned property. In other locations, easements are being obtained from property owners. In response to Mayor Seiler, Mr. Dunckel explained that the result of not approving the item tonight is that the installation of the equipment in these six locations would be delayed for two weeks.

Mayor Seiler inquired about the repercussions if the governor vetoes the bill. Mr. Dunckel understood that the bill would go into effect on July 1, 2010; prior to that, the City can operate under the contract. But, as of July 1, 2010, there would be a conflict between the terms and conditions of the contract and state law, so the contract would have to be reconciled. The City Attorney advised that state law provides language as to how individuals or vendors can be paid, and it does not comport with the City's contract. According to the contract, the City pays \$28 to the vendor for each incident. However, the statute has a clause which states no person may receive a commission on monies collected, and no vendor may receive a charge per ticket issued. The City may have to renegotiate the contract. Mayor Seiler believed it does not make sense to vote on the item tonight. Commissioner Rodstrom agreed. The City Auditor confirmed that the current plan is to pay for the cameras based on a share of revenue and he believed the law may impede this. If there are installed cameras, the City may have to pay the vendor for the work done. He was concerned about the vendor incurring more costs which would have to be reimbursed by the City.

Motion made by Commissioner Rodstrom and seconded by Commissioner DuBose to defer the item to May 18, 2010. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Grant Acceptance – Snyder Park – Quadrant 4 - \$50,000 (CR-01)
Land Stewardship Program – Partners in Preservation

Grant Acceptance – Snyder Park – Quadrant 1 - \$50,000 (CR-02)
Land Stewardship Program – Partners In Preservation

Grant Acceptance – Bill Keith Preserve - \$50,000 (CR-03)
Land Stewardship Program – Partners In Preservation

Grant Acceptance – Warbler Wetlands - \$15,000 (CR-04)
Land Stewardship Program – Partners In Preservation

Grant Acceptance – Coral Ridge Park - \$75,000 (CR-05)
Land Stewardship Program – Parks for People

The City Auditor noted that there is a requirement in the grant agreements for the Internal Audit Department to audit each of these grants. This is an administrative burden that is not sensible for small grants. He encouraged staff to contact the County to see if the provision can be removed or waived. Mayor Seiler suggested a threshold amount be established. The City Auditor explained it is only his suggestion that staff attempt to have the audit requirements removed. If the Commission approves the items, staff can make this attempt between now and the execution of the agreements. Vice Mayor Rogers asked if a more simplified procedure like an accounting could replace an audit. The City Auditor pointed out that this is a standard provision in all County grant agreements. He believed it could be accomplished by providing a copy of the City's single audit which shows there are sufficient internal controls over grants in place similar to what the City provides to the state and federal government for all of the City's grants. Phil Thornburg, Director of Parks and Recreation, mentioned that he spoke to County staff regarding this issue. The County Attorney believed that the audit requirement should remain. He requested the City Attorney's assistance.

Commissioner Roberts pointed out that the CR-05 item is a carry-over from a previous grant award. He wanted to separate CR-05 from the others to prevent any delay. The City Auditor did not want to delay any of them, but simply to pose the question to the County. Commissioner Roberts still wanted to separate CR-05. Mayor Seiler believed the Auditor's request has essentially already been satisfied but asked the City Attorney to followup with the County Attorney. He did not think it would delay anything.

Commissioner DuBose did not like the motion, but wanted the items to move forward.

Motion made by Commissioner Rodstrom and seconded by Commissioner DuBose to approve CR-01 with the stipulation that the City Attorney follow-up with the Broward County Attorney in posing the question of removing the audit requirement. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Rogers to approve CR-02 with the stipulation that the City Attorney follow-up with the Broward County Attorney in posing the question of removing the audit requirement. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Rogers to approve CR-03 with the stipulation that the City Attorney follow-up with the Broward County Attorney in posing the question of removing the audit requirement. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Rogers to approve CR-04 with the stipulation that the City Attorney follow-up with the Broward County Attorney in posing the question of removing the audit requirement. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Rogers to approve CR-05 with the stipulation that the City Attorney follow-up with the Broward County Attorney in posing the question of removing the audit requirement. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Grant Acceptance – Local Agency Program Agreement - \$259,222 (CR-12)
Safe Route to School – Harbordale Elementary School - Sidewalk

Vice Mayor Rogers expressed concern regarding how the sidewalk will look. He instructed staff to meet with the neighborhood to develop alternatives.

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

Intersections – Automated Red Light Camera Traffic Enforcement System (CR-18)

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Rogers to defer the item to May 18, 2010. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: Commissioner Roberts.

603-10485 – Curbside Recycling Bins (PUR-03)
Contract Award and Termination of Existing Contract with SCL A-1 Plastics Ltd.

In response to Vice Mayor Rogers, Edward Udvardy, Assistant Public Works Director, indicated that the bins will be purchased as needed. It is anticipated that approximately \$10,000 will be spent over the remainder of the fiscal year. Subsequently, there should be an answer regarding the eventual interlocal agreement and the move toward single stream. The new recycling cart collection contract proposes options for collecting current bins and single stream carts. In response to Mayor Seiler, Mr. Udvardy confirmed that this item is needed now in order to have a contract in place to purchase bins in the event the interlocal agreement is not approved this year. It is a supply contract wherein the only obligation is to buy what is ordered. In response to Commissioner Rodstrom, Kirk Buffington, Director of Procurement Services, verified that approval would give authority to purchase up to 8,000 bins. Commissioner Rodstrom felt an allowance to purchase this amount provided too much latitude. In response to her question, Mr. Udvardy asserted that residents are encouraged to use as many recycling bins as they can. When the City implements single stream there will be one cart rather than multiple bins.

Commissioner Rodstrom suggested the City move forward with the single stream program, or utilize larger carts than the current recycling bins. She would rather use one larger cart than multiple bins. Mayor Seiler articulated that the bigger issue is that the City's current contractor was acquired by another company and they will not agree to the desired terms. There is no contract currently though it is a necessity.

Vice Mayor Rogers asked if a group purchase plan could be coordinated with other municipalities. Mr. Buffington noted that the City is a primary lead agency of the Southeast Florida Governmental Cooperative Purchasing Group. However, any commodity that is cooperatively bid must be desired for purchase by all involved agencies. Many other cities use different types and sizes of bins. He has discussed single stream recycling with some cities and a cooperative bid may be possible.

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

103-10499 - Ammunition

(PUR-07)

In response to Vice Mayor Rogers, Kirk Buffington, Director of Procurement Services, confirmed that this is an indefinite quantity contract; bullets are purchased on an as needed basis throughout the contract term. Vice Mayor Rogers highlighted information provided in Commission Agenda Report 10-0591. He questioned why budgeting for this item involves three different funds that do not appear to have the required funding amounts. Mayor Seiler and the City Manager suggested the item be deferred.

Motion made by Vice Mayor Rogers and seconded by Commissioner Rodstrom to defer the item to May 18, 2010. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

The City Auditor elaborated upon the budgeting process.

MOTIONS

162-9545 – Proprietary – Wellness Plan Administration

(MD-01)

Transfer from Nationwide Better Health to AvMed Health Plans

There is sufficient funding fy 09/10 (\$20,229 in INS220101/5130 Health Insurance Admin., Fund 545 Subfund 01) for the administration of the City's wellness Plan. There is sufficient funding fy 09/10 (\$11,000 in FIN030101/2119 Wellness Incentive, Fund 543 Subfund 01) for the administration during the transition period for the City's Wellness Plan.

Transfer Wellness Plan administration from Nationwide Better Health, Inc. – award to AvMed, Inc. d/b/a AvMed Health Plans – extend contract with Nationwide Better Health,

Inc. on a month-to-month basis for a period not to exceed sixty days for this transition, is being requested for approval by Finance Department.

Recommend: Motion to approve.

Vendor: AvMed, Inc. d/b/a AvMed Health Plans, Miami, FL
Nationwide Better Health, Inc., Hunt Valley, MD

Amount: \$31,229.00 (estimated fy 09/10)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0538

The Procurement Services Department has reviewed this item and recommends approval of this transfer of the Wellness Plan to the Health Plan Administrator.

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

Proprietary – Underground Utility Location Service Membership (MD-02)

\$3,000 is budgeted in Fund 450, Subfund 01, PBS050101, 3299.

Increase underground utility location service – excavations – is being requested by Public Works Department.

Recommend: Motion to approve.

Vendor: Sunshine State One-Call of Florida, Inc.
Debary, FL

Amount: \$3,000.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0588

The Procurement Services Department has reviewed this item and recommends increasing this Proprietary Service.

Kirk Buffington, Director of Procurement Services, explained the basis for this expense. Commission approval is sought because it is proprietary and the increased expenditure exceeds \$10,000. The total cost of the contract is \$12,000. Mayor Seiler and Commissioner Rodstrom inquired why the back-up does not provide the total amount. Mr. Buffington offered to provide more detailed back-up in the future.

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

Proprietary – Executive Airport Software and Equipment Maintenance (MD-03)
Passive Radar Data Feed

\$26,193.60 is budgeted in the Airport Fund 468, Subfund 01, BUS 070101 Subobject 3401, Computer Maintenance. Please see the funding information attached to these minutes.

One-year renewal of software and equipment maintenance service for passive radar data feed – Executive Airport – is being presented for approval by Business Enterprise Department.

Recommend: Motion to approve.

Vendor: Passur Aerospace, Inc.
Bohemia, NY

Amount: \$26,193.60

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0597

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

Vice Mayor Rogers expressed confusion regarding the accounting aspect of this item. He highlighted information provided in Commission Agenda Report 10-0597, pointing out that the description of where funds are derived does not correlate with the accounting information. Clara Bennett, Executive Airport Manager, agreed to present the information with more clarity in the future.

The City Auditor advised that his office reviews each agenda item to verify funds availability.

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

Proprietary – Executive Airport Noise and Operations Monitoring System (MD-04)
Software Support

\$37,592.71 is budgeted in the Airport Fund 468, Subfund 01, BUS 070101 Subobject 3401, Computer Maintenance. Please see the funding information attached to these minutes.

One-year renewal of Executive Airport noise and operations monitoring system software support service is being presented for approval by Business Enterprises Department.

Recommend: Motion to approve.

Vendor: Lochard Corporation
Sacramento, CA

Amount: \$37,592.71
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 10-0598

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

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

**Proprietary – Executive Airport Enhanced Radar Service (MD-05)
and Reporting Software**

\$22,919.40 is budgeted in the Airport Fund 468, Subfund 01, BUS 070101 Subsubject 3401, Computer Maintenance. Please see the funding information attached to these minutes.

One-year renewal of Executive Airport enhanced radar service and reporting software subscription is being presented by Business Enterprises Department.

Recommend: Motion to approve.
Vendor: Passur Aerospace, Inc.
 Bohemia, NY
Amount: \$22,919.40
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 10-0599

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

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

**Neighborhood Stabilization Program (MD-06)
Agreement – Fort Lauderdale Community Development Corporation**

No budgetary impact.

Neighborhood Stabilization Program – Motion to 1) follow current agreement that requires funding allocated to Fort Lauderdale Community Development Corporation be committed by August 31, 2010 OR 2) terminate the agreement for convenience, reimburse any funding due Fort Lauderdale Community Development Corporation for

appraisals and home inspections and reallocate remaining funds to other program vendors.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0497

In response to Vice Mayor Rogers, Jonathan Brown, Housing and Community Development Manager, explained this item was brought back for the Commission to decide whether the existing agreement with Fort Lauderdale Community Development Corporation (CDC) should continue. Commissioner Rodstrom questioned the amount of reimbursement funds if the contract is terminated. Mr. Brown did not know the exact amount, but there are costs for four home inspections. A City inspector along with an inspector selected by CDC performs the home inspections. In response to Commissioner Rodstrom, Lennard Robinson, executive director of CDC, confirmed that appraisals were completed, but not the inspections required before the City approval to purchase property. Therefore, no costs have been incurred by the City for the vendor's home inspections. Mr. Brown verified that staff has not received any costs for appraisals or inspections, but they are part of the process. Commissioner Rodstrom expressed her desire to exercise option two in Commission Agenda Report 10-0497, which is to terminate CDC and reallocate the remaining funds to the other two Neighborhood Stabilization Program (NSP) vendors.

In response to Commissioner DuBose, Mr. Brown confirmed that zero dollars have been obligated by CDC to date, however staff has inspected four properties. He reiterated that no expenses have been provided from CDC. Mr. Robinson verified that CDC has three properties. He elaborated upon the process that occurs before the funds are obligated. He pointed out that the contract states the vendor has until August, 2010 for funds obligation. There is no stipulation that claims the first organization to have funds obligated is the one chosen to move forward. Over the course of the last two weeks contracts for three homes were obtained and he claimed they will now be submitted to the City within forty-eight hours for up to \$327,000. Commissioner DuBose provided historical insight from the last meeting, emphasizing the importance and large-scale effect of the NSP program on the city regarding foreclosure matters. Although each of the vendors faces obstacles, two vendors have performed satisfactorily. He felt that the Commission made their intent regarding this program very clear to the vendors one year ago, and was concerned that Mr. Robinson's organization does not yet have funds obligated. Mr. Robinson pointed out that, in order to fulfill their contract, the other vendors must also repair and sell the homes. He maintained that his community-based organization can get home buyers. Commissioner DuBose pointed out that CDC has not accomplished the first step in the process. Mr. Robinson reiterated that CDC is within forty-eight hours from the second inspection which is all that is left before obligating the funds. Commissioner DuBose expressed deep concern that Mr. Robinson has not provided any results despite the fact that staff has met with him on a weekly basis. Mr. Robinson contended that he has renegotiated with sellers who are willing to base the deal on the appraised value and there are signed contracts; all that is remaining is the inspection report. In two weeks, he has gotten three approved contracts and has the ability to obtain more. He claimed there are currently seven offers.

In response to Vice Mayor Rogers, Mr. Robinson indicated that houses at the following locations are under contract: 1377 Riverland Road, 1829 SW 11 Court, and 1813 SW

10 Court. Mr. Brown verified that these homes have passed the City's inspection. There was a fourth home, but it had code problems such as illegal additions. Once the information package is received, the City will determine if a purchase can be made. He has been working with Assistant City Attorney Sharon Miller to verify legal grounds to terminate, based on the contract terms. He reiterated that any money reimbursed to the vendor will be based on appraisals and completed inspections. Vice Mayor Rogers expressed his desire to move forward with the CDC vendor because all of these contracted homes are located in District IV. Mr. Brown advised that his staff is awaiting the information package from the vendor in order to determine their capability of completing the process. Staff has already determined the property meets the inspection requirements to move forward. The information package includes the appraisal, construction cost estimate, independent inspection, closing costs, and costs for securing the property. Based on their established policies for rehabilitation, these properties would be eligible for purchase.

Commissioner Roberts pointed out that one vendor has completely met the obligation of funds, another has met 75 percent, and CDC has no funds obligated, other than potentially \$327,000. He felt that CDC's contract should be terminated, but possibly hold back the \$327,000 in contracts. He noted that there are no contracted homes in District I either. Vice Mayor Rogers wanted to salvage the three contracts that are in the works. Commissioner Roberts agreed

Mr. Robinson requested the Commission give CDC to month's end to obligate the funds. CDC is the only not-for-profit community based organization in the NSP program. They have worked around some staffing issues and can now focus more on this program. He assured the properties could be secured by the end of the month.

In response to Commissioner Rodstrom, Meir Benzaken, executive director of Florida's Attainable Homes Company, LLC, indicated that he was given direction to proceed in February, 2010 and by March, 2010 all of the funds were allocated.

Commissioner DuBose expressed concern about waiting another month for CDC. He believed that once this timeline is met, there are three additional years of the program to allow for home purchases where Districts IV could be addressed. Vice Mayor Rogers believed it is senseless to get rid of three contracts that are in-hand. Commissioner DuBose expressed concern about jeopardizing funds for contracts that could possibly fall through. Vice Mayor Rogers noted that CDC has gotten three contracts in two weeks, despite the fact that he did not initially spend appropriate time working on this program. The City has their attention. They are a not-for-profit. He felt that CDC has not been proven incompetent. Therefore, it makes sense to move forward with the three contracts. In response to Commissioner Roberts, Mr. Brown indicated that Mr. Robinson claims the information packages could be submitted in two days. Mr. Brown verified that his office would then review the information packages to determine if they could be approved for purchase. Commissioner Roberts suggested termination of convenience for the remaining CDC funds, including the three contracts if they are not completed in two days. The funds should then be awarded to the other two vendors. Vice Mayor Rogers requested that CDC assign the three contracts to one of the other two vendors (if they are unable to complete the information package in the given amount of time). In response to Commissioner Rodstrom, the City Attorney thought that a ten-day notice is required for termination of convenience. The City is obligated to pay for any performance that occurred prior to the termination. If CDC is able to obtain the three homes within the

next ten days, the City would be obligated to pay for the associated costs and that money could not be transferred to the other vendors. Commissioner Rodstrom emphasized that the money for this program is a gift to the City and the funds must be spent correctly and expeditiously in order to purchase more homes. She wanted to proceed with the two successful vendors. Commissioner Roberts clarified the idea is just to proceed with the three contracts within the ten-day period. Commissioner Rodstrom emphasized there was no stipulation as to what type of organization was granted the funds. She noted the City's decision was to divide it amongst three in case one was weaker, so that adjustments could be made.

Mr. Robinson noted that he has seven contracts (offers), and questioned if he could include them if completed in ten work days. Commissioner Roberts believed that only the three previously discussed should be allowed. Mayor Seiler inquired what actions Mr. Robinson took to meet the contractual obligations prior to the last two weeks. Mr. Robinson indicated that he is CDC's sole employee; he would like to use this contract to expand their business. In response to Mayor Seiler, Mr. Brown confirmed that his staff is waiting to receive the information packages for the three contracts and will then make a determination. Mr. Robinson verified that the information packages will be submitted to the City in two days. Commissioner Rodstrom asked for the inspector's name or company name. Mr. Robinson did not have that information in-hand, but offered to provide it the following day. Commissioner Rodstrom was concerned this information is not available for this vote is taken. In response to Vice Mayor Rogers, Mr. Robinson agreed to assign the three contracts if he could not complete them within the ten-(work) day period.

Motion made by Commissioner Roberts and seconded by Vice Mayor Rogers to approve the item as amended to follow the current agreement with Fort Lauderdale Community Development Corporation only for the following three properties if completed within ten work days; applications to be submitted within two days; if they cannot be completed within the ten work days, Fort Lauderdale Community Development Corporation agrees to assign the contracts to other vendors in this program: 1377 Riverland Road; 1829 11 Court; 1813 SW 10 Court. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

In response to Mr. Brown, Commissioner DuBose explained that if the three contracts are not brought forth or are not approved, then that funding will be reallocated evenly between the other two vendors. CDC is allowed to continue only with the three contracts if they are approved.

RESOLUTIONS

Board-Ups – Special Assessment Liens for Associated Cost

(R-01)

No budgetary impact.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 10-120

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, MADE PURSUANT TO CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF BOARDING SAID PROPERTIES AND IMPOSING A SPECIAL ASSESSMENT LIEN AGAINST EACH PROPERTY FOR THE ASSESSED AMOUNT, AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

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

**Lot Clearing and Cleaning -
Special Assessment Liens for Associated Cost**

(R-02)

No budgetary impact.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 10-121

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, MADE PURSUANT TO CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF LOT CLEARING AND IMPOSING A SPECIAL ASSESSMENT LIEN AGAINST EACH PROPERTY FOR THE ASSESSED AMOUNT, AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

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

Board and Committee Appointments

(R-03)

No budgetary impact.

Mayor Seiler opened the floor for public comment.

Robert Walsh, 401 East Las Olas Boulevard, felt that some board members at a recent Planning and Zoning Board meeting behaved unprofessionally. He requested the Commission be selective in appointing individuals to boards and committees. He noted warned against falsifying associations with public officials and misrepresenting public officials.

There being no one else wishing to speak, Mayor Seiler closed the floor for public comment.

Approval of Minutes and Agenda

The City Clerk announced that an additional segment of the April 6, 2010 Conference minutes will be included for approval at the May 18, 2010 Regular Meeting.

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

Beach Redevelopment Board	Mel Rubinstein (Commissioner Rodstrom) Judith Scher (Commissioner Rodstrom)
Board of Adjustment	Diana Waterous Centorino (Mayor Seiler) Bruce Weihe (Mayor Seiler)
Centennial Celebration Committee	Patricia Dumont (Mayor Seiler) JoAnn Medalie (Mayor Seiler) Charles L. Palmer (Mayor Seiler) E. Clay Shaw (Mayor Seiler) Peg Buchan (Vice Mayor Rogers) Sandy Casteel (Vice Mayor Rogers) Cindi Hutchinson (Vice Mayor Rogers) Ina Lee (Vice Mayor Rogers) John Aurelius (Commissioner Roberts) Claire Crawford (Commissioner Roberts) Patricia Hale (Commissioner Roberts) Lisa Scott-Founds (Commissioner Roberts) Barbara Keith (Commissioner Rodstrom) Wingate Payne (Commissioner Rodstrom) Dennis Ulmer (Commissioner Rodstrom) E. Birch Willey (Commissioner Rodstrom) Beauregard Cummings (Commissioner DuBose) Stephanie Jean (Commissioner DuBose) Mary Rizor (Commissioner DuBose) Lewis B. Tunnage (Commissioner DuBose) Donna Mergenhagen (Mayor Seiler)
City of Fort Lauderdale Housing Authority	James D. Camp, III (Mayor Seiler) Shirley Carson (Mayor Seiler) Robert W. Kelley (Mayor Seiler)

Civil Service Board	Bob Kauth (Mayor Seiler)
Community Appearance Board	John T. Holmes (Commissioner Roberts)
Historic Preservation Board	Joyce Gardner (Mayor Seiler) Susan Massey McClellan (Mayor Seiler)
Northwest Progresso Flagler-Heights Redevelopment Board	Ron Centamore (Vice Mayor Rogers)
Planning and Zoning Board	Patrick McTigue (Mayor Seiler)
Police and Firefighters Retirement System	Mark T. Burnam (Mayor Seiler)
Unsafe Structures and Housing Appeals Board	John Scherer (Mayor Seiler)

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 10-122

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 Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

CITIZEN PRESENTATIONS

Dennis Ulmer – Remembering Memorial Day **(CIT-01)**

Mr. Ulmer provided a historical overview of the Memorial Day holiday. He recalled a trip he took to Arlington National Cemetery in Washington, D.C. with family members of soldiers killed in action. Those who died while serving the United States in the armed services are heroes. He encouraged citizens to honor these heroes by remembering the sacrifices they made, especially on Memorial Day.

Douglas J. Sterner
Council of Fort Lauderdale Civic Associations -
Neighborhood Development Criteria Revisions Initiative

(CIT-02)

Marilyn Mammano, vice president of the Council of Fort Lauderdale Civic Associations, spoke in Mr. Sterner's place. Ms. Mammano summarized her written statement on this topic which is attached to these minutes.

In response to Mayor Seiler, Greg Brewton, Director of Planning and Zoning, explained that the draft modification plan will be presented to the Commission on June 1, 2010 as well as a follow-up workshop with the community the next day. Commissioner Rodstrom suggested that the consultant give a presentation at a conference meeting, rather than holding another workshop. Mr. Brewton conveyed the intention to provide the Commission with the draft and give the community opportunity for input at a workshop. In response to Commissioner Roberts' concern about the delays, Mr. Brewton articulated that a great deal of information from the prior workshops and the Planning and Zoning Board was provided to the consultant. All of this information will be compiled for June 1. He confirmed for Commissioner Rodstrom that some things have already been implemented. Ms. Mammano mentioned her concern that the schedule was revised several times, and urged the Commission to maintain a timely schedule.

Art Seitz – Fort Lauderdale Beach – Beach Master Plan, Ireland's Inn, (CIT-03)
International Swimming Hall of Fame, Bahia Mar Park,
Pedestrian and Bicycle Accidents

Art Seitz provided a news article regarding the sale of Ireland's Inn. A copy of the slides is attached to these minutes. He noted that the Ireland's Inn property was flipped. He elaborated upon everything granted to the previous owner. The new owner does not have to demolish the building.

Mr. Seitz believed that the Bahia Mar Park project would turn out similarly to Ireland's Inn. He thought the beach area land calls for an iconic landmark, rather than current plans. He claimed the new hotel would negatively impact the Fort Lauderdale South Beach parking lot.

Mr. Seitz asserted that Chuck Hansen, Sadler James, and Fred Carlson told him they cannot locate the 2008 or 2009 Central Beach Alliance membership rolls and bank records. He was told that \$5,000 was co-mingled into the bank account of a treasurer. He contended that the organization is corrupt. He has requested an audit and asked City Attorney be instructed to speak with the organization.

Mr. Seitz indicated that the individuals replacing him and Miranda Lopez on the Beach Redevelopment Board do not currently contribute the same amount of time and effort toward civic involvement as they do. He claimed that he has not had meaningful contact with Commissioner Rodstrom in some time and elaborated upon his concerns in that regard. He provided information on the International Swimming Hall of Fame site redevelopment request for proposal; drawing attention to the costs. He wondered why only one proposal was submitted. He pointed out some rating discrepancies amongst the evaluation committee members. He urged the Commission to take care with the awarding of this project.

In response to Mayor Seiler, Mr. Seitz suggested Mayor Seiler speak to Sadler James, Joe Hessman, Chuck Hansen, and, possibly, Fred Carlson regarding the allegation that \$5,000 was co-mingled into the bank account of a Central Beach Alliance treasurer. The City Attorney advised that the City has no authority to investigate this association.

Jim Babb – Green Dog Day Festival Event Application

(CIT-04)

Mr. Babb was not present.

Mayor Seiler allowed Robert Walsh to use this time instead.

Mr. Walsh claimed he was recently a victim of vandalism. He commended certain members of the police force for providing him outstanding help. He elaborated upon events prior and subsequent to the crime. He urged victims of vandalism to contact law enforcement, rather than taking matters into their own hands.

Virgil E. Niederriter – Swales

(CIT-05)

Mr. Niederriter was not present.

PUBLIC HEARINGS

Relief from Zoning Requirements for Public Purpose Use
Bill Keith Preserve – Case 25-R-10

(PH-01)

No budgetary impact.

Applicant: City of Fort Lauderdale
Location: 1720 SW 17 Street

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

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

Vice Mayor Rogers introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-18

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING IMPROVEMENTS TO A PUBLIC PARK THAT DO NOT MEET THE PARKING AND LOADING ZONE REQUIREMENTS IN A PARKS, RECREATION AND OPEN SPACE ZONING DISTRICT AS PROVIDED IN

THE UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR"), WHICH PROPERTY IS MORE FULLY DESCRIBED AS THAT PORTION OF LOT 17, MRS. E.F. MARSHALL'S SUBDIVISION OF GOVERNMENT LOTS 1-4 AND THE WEST HALF (W ½) OF THE NORTHEAST QUARTER (NE ¼) AND THE NW ¼ OF THE SW ¼ OF SEC. 16, TOWNSHIP. 50 SOUTH, RANGE 42 EAST, P.B.1, P. 2, BROWARD COUNTY, LYING SOUTH OF SOUTHWEST 17 STREET AND NORTH OF THE SOUTH FORK NEW RIVER AND CURRENTLY KNOWN AS BILL KEITH NATURE PRESERVE AS A PUBLIC PURPOSE USE; AND GRANTING RELIEF FROM THE ULDR REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE ULDR OF THE CITY OF FORT LAUDERDALE, FLORIDA.

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

**Dock Waiver Application – Distance of Limitations
Ed and Margaret Brin – 609 SW 5 Place**

(PH-02)

No budgetary impact.

Applicant: Ed and Margaret Brin
Location: 609 SW 5 Place

RESOLUTION NO. 10-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.B. & C. OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW ED BRIN AND MARGARET BRIN, HUSBAND AND WIFE, TO EXTEND AND MAINTAIN THREE (3) EXISTING WOOD FINGER PIERS AND CONSTRUCT FIVE (5) NEW DOUBLE CLUSTER MOORING PILINGS TO EXTEND INTO THE NEW RIVER 28.6 AND 43 FEET RESPECTIVELY FROM THE PROPERTY LOCATED AT 609 SOUTHWEST 5TH PLACE, SUCH DISTANCES AND PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW AND SUBJECT TO CERTAIN TERMS AND CONDITIONS.

This item was deferred to May 18, 2010.

ORDINANCES

Comprehensive Plan – Land Use Map and Text Amendment - (O-01)
Case 14-T-08 – Park/Open Space – Downtown Regional Activity Center

No budgetary impact.

Vice Mayor Rogers introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-10-17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO AMEND ORDINANCE NO. C-09-02 AMENDING THE 2008 FORT LAUDERDALE COMPREHENSIVE PLAN TO AMEND THE LAND USE OF CERTAIN PROPERTIES FROM COMMERCIAL, EMPLOYMENT CENTER, INDUSTRIAL AND RESIDENTIAL TO PARK/OPEN SPACE, TO AMEND THE TEXT IN THE PERMITTED USE SECTION OF THE FUTURE LAND USE ELEMENT FOR THE DOWNTOWN REGIONAL ACTIVITY CENTER TO PERMIT PARK/OPEN SPACE USES SUBJECT TO CERTAIN CONDITIONS.

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

Code Amendment – Chapter 25 – Streets and Sidewalks (O-02)
Undergrounding of Utility Facilities – Special Assessment Program

No budgetary impact.

ORDINANCE NO. C-10-12

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 25, STREETS AND SIDEWALKS, ARTICLE IV, POLES, WIRES AND CONDUITS, TO PROVIDE FOR UNDERGROUNDING OF UTILITY FACILITIES; AUTHORIZING AND PROVIDING A PROCEDURE FOR THE IMPOSITION AND COLLECTION OF SPECIAL ASSESSMENTS AGAINST PROPERTY BENEFITING FROM UNDERGROUND UTILITY FACILITIES; PROVIDING DEFINITIONS INCLUDING A DEFINITION FOR THE TERM “UNDERGROUND UTILITY LINE ASSESSMENT”; PROVIDING CRITERIA FOR

DESIGNATION OF AN UNDERGROUND SPECIAL ASSESSMENT AREA; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF A FINAL ASSESSMENT ROLL; PROVIDING THAT A PERFECTED LIEN SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES AND CLAIMS; AUTHORIZING THE USE OF CITY FUNDS FOR PLANS AND SPECIFICATIONS; REQUIRING PROPERTY OWNERS TO CONNECT TO UNDERGROUND UTILITY LINE FACILITIES WHEN SERVICE IS AVAILABLE; PROHIBITING THE PLACEMENT OF OVERHEAD UTILITIES AFTER UNDERGROUND FACILITIES ARE INSTALLED; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

In response to Mayor Seiler, Peter Partington, City Engineer, explained that the revised draft has only been available for the public's review for a few days. Additionally, staff would like more review time.

Motion made by Commissioner Rodstrom and seconded by Commissioner Roberts to defer the item to May 18, 2010. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Amendment to the Pay Plan – Schedules I & II

(O-03)

Sufficient funds in the amount of \$1,120,000 are budgeted in General Fund 001, Subfund 01, GEN010201/3199, Other General Government.

ORDINANCE NO. C-10-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SCHEDULES I AND II OF THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY CREATING FOUR PAY RANGES IN SCHEDULE 01 AND CHANGING THE PAY RANGE DESIGNATIONS OF POSITIONS IN THE CLASSES OF POLICE CAPTAIN, POLICE MAJOR, BATTALION CHIEF, FIRE MARSHAL, DIVISION CHIEF, AND DIVISION FIRE MANAGER TO THE APPLICABLE RANGE WITHIN THE FOUR NEW PAY RANGES, AND PROVIDING A RETROACTIVE TWO AND ONE-HALF PERCENT HAZARDOUS DUTY PAY ADJUSTMENT AND A RETROACTIVE TWO AND ONE-HALF PERCENT GENERAL PAY INCREASE FOR THESE CLASSES; PROVIDING THE SAME RETROACTIVE INCREASES TO

THE PAY RANGE THAT INCUMBENTS IN THE POLICE AND FIRE DEPARTMENTS ARE ASSIGNED TO WHEN FUNCTIONING AS ASSISTANT CHIEF; AMENDING THE PAY RANGE DESIGNATION OF CERTAIN POLICE AND FIRE CLASSES IN THE "SPECIAL PAY PRACTICES" ASSIGNMENT PAY SECTION OF SCHEDULE I IN ACCORDANCE WITH THE REVISED PAY RANGE DESIGNATIONS DESCRIBED ABOVE; MODIFYING THE SCHEDULE 01 PAY RANGE AMOUNTS FOR SCHEDULE I, TO WIT: SUPERVISORY, PROFESSIONAL, AND MANAGERIAL – P.E.R.C. EXEMPT EMPLOYEES, AND SCHEDULE 02 PAY RANGE AMOUNTS FOR SCHEDULE II, TO WIT: NON-BARGAINING UNIT (CONFIDENTIAL) GENERAL EMPLOYEES, EXCLUDING SCHEDULE I NON-BARGAINING UNIT POSITIONS IN THE POLICE AND FIRE CLASSES REFERENCED ABOVE, TO PROVIDE A RETROACTIVE FIVE PERCENT GENERAL PAY INCREASE; AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

This item was removed from the agenda at the request of the City Manager.

Census

(OB)

Mayor Seiler pointed out that Florida is substantially behind in completed census returns, and encouraged everyone to participate in the census. He expressed concern over the possibility that some congressional seats may be in jeopardy.

Pay-By-Phone Parking Program

(OB)

Diana Alarcon, Director of Parking and Fleet Services, announced that the Pay-By-Phone program is activated and encouraged the public to utilize it as an alternate means of payment. Mayor Seiler requested the Commission be kept updated on the program's progress. In response to Vice Mayor Rogers, Ms. Alarcon elaborated upon how the program is being publicized.

There being no other matters to come before the Commission, the regular meeting was adjourned at 9:12 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk