

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
June 15, 2010

Agenda

Item	Resolution/Ordinance	Page(s)
	<u>Presentations:</u>	
	1. 32 nd Annual Community Appearance Board Awards Sponsors of WOW Award Program	1
	2. Kings Minors and Majors Baseball Teams - Joseph C. Carter Park	2
	3. Parks and Recreation Month – July, 2010	2
	4. Drowning Prevention Day – July 16, 2010	2
	5. Recognition – Vicki Flournoy - 2010 Assistant Principal of the Year Acclaim Award Lauderdale Manors Elementary School	2
	6. Recognition – James Griffin - 2010 Principal of the Year Acclaim Award Rock Island Elementary School	2
CA	Consent Agenda	3
M-01	Event Agreement – Juneteenth 2010 Celebration	3
M-02	Event Agreement – Feldman Park Backyard Bash Closing Alley that Runs Through Park	4
M-03	Event Agreement – 100 Black Men Community Empowerment Project	4
M-04	Event Agreement – South Florida Beach Safety Expo 2010	4
M-05	Event Agreement – Grav-i-tate at the Lawn	4
M-06	Event Agreement – Kayak Against Cancer	5
M-07	Event Agreement – The Red Eye	5
M-08	Event Agreement and Co-Sponsorship – Saturday Nite Alive	5
M-09	Task Order 82 – Camp Dresser & McKee, Inc. - \$269,304 Lohmeyer Wastewater Treatment Plant Improvements	6
M-10	Funds Transfer – Executive Airport – Taxiway Golf Relocation - \$7,050 Geotechnical Engineering Services	6
M-11	Neighborhood and Business Capital Improvement Program Transfer Funds - \$462,650	6
M-12	Change Order 1 – Electrical Contracting Service, Inc. George English Park Ballfield Lighting and Related Electrical - \$38,519.20	6
M-13	Change Order 1 – Valcom Design & Construction, Inc. - \$331,379.81 Police Department Building Hurricane Wind Retrofit – Add 90 Work Days	3, 7
M-14	Change Order 4 – Quinn Construction, Inc. - \$29,141.47 SW 11 Avenue Swing Bridge Rehabilitation	7
M-15	Amendment 1 – Task Order 3 – Kessler Consulting, Inc. - \$20,500 Grant Modification – Florida Department of Environmental Protection – Recycling	7
M-16	Settlement of Vehicle Accident General Liability File VA GL 06-827 - \$70,000	8
M-17	Extension – Interlocal Agreement – Fire Rescue Services City of Wilton Manors	8
M-18	Foreign Trade Zone – Operator Agreement – Fair & Swanson, Inc.	8
M-19	Contract – Halloween Festival and Haunted Houses - AEG Live SE LLC War Memorial Auditorium	8
M-20	662-9346 – Contract Extension – Post, Buckley, Schuh & Jernigan, Inc.	9
M-21	Hurricanes Katrina and Wilma Damage Remedial Work Official Centennial Celebration Artist – Charles Fazzino	9

CR-01	10-167	Donation from Chevy Youth Baseball - \$500 and Raffle Fundraiser Kit Joseph C. Carter Park Youth Baseball Program	9
CR-02	10-168	Amend Operating Budget – Appropriation - \$6,000 Sponsorship – 2010 Suntrust Sunday Jazz Brunch	10
CR-03	10-169	Contract Extension – Southern Florida Paving Group, LLC Annual Speed Hump Installation Contract - \$46,998	10
CR-04	10-170	Amendment 5 – Work Authorization 16724.94 – Keith and Schnars, P.A. Oakland Park Boulevard Water Main - \$37,267.61	11
CR-05	10-171	Contract Extension – DBF Construction LLC - \$299,722.50 Installation of Water Service Connections	11
CR-06	10-172	Amend Operating Budget – Appropriation - \$3,750 Topographical Survey – River Oaks Stormwater Park	12
CR-07	10-173	Florida Department of Transportation Grants – Federal Aid Projects Signature Authority - Public Works Director	12, 19
CR-09	10-174	Funding Reimbursement – 2005 Organization of American States - \$250,018	13, 20
CR-10	10-175	Regional Plan for Sustainable Development Establish Partnership to Apply for Grant Funding	13
CR-11	10-176	Grant Acceptance – Energy Efficiency and Conservation Block Grant U.S. Department of Energy - \$1,936,400	3, 14
CR-12	10-158	City Charter Amendment Ballot Language – November 2, 2010 General Election Sale of City-Owned Property – Affordable Housing or Economic Development	14, 20
CR-13	10-177	Rescheduling July 6, 2010 City Commission Meetings	14
CR-14	10-178	Grant Acceptance – Small Scale Derelict Vessel Removal Program Florida Inland Navigation District - \$4,425	15
PUR-01		582-10045 – Increase Expenditure – Records Storage Contract	15, 21
PUR-02		504-10412 – Multi-Space Parking Meters	16, 21
PUR-03		State Contract – Ballistic Resistant and Point Blank Dragon Fire SWAT Vests	16
PUR-04		Computer Server and Software Automated License Plate Recognition Vehicle System	17, 21
PUR-05		State Contract – Tools and Equipment	17, 22
PUR-06		402-10505 – Reject Bids – Emergency Generator Rental	17
PUR-07		606-10451 – Engineering Services – Executive Airport Master Drainage Study and Plan	18
PUR-08		Change Order 1 – City Hall Chiller Plant Replacement Equipment and Installation Services	18
PUR-09		105-10457 – Delinquent Account Collection Services	19, 22
MD-01		Proprietary – IBM Operating System Support - Financial Accounting System	23
MD-02		462-9264 – Amendment to Contract – Janitorial Services Citywide	24
MD-03		Speed Hump Installation – Harbour Inlet Drive and Mariner Drive - \$7,500 Neighborhood Capital Improvement Program – Harbour Inlet	24
MD-04		Tiger II Surface Transportation Discretionary Grant Application Transportation Investment Generating Economic Recovery Program	26
R-01	10-159	Vacate Twelve Foot Utility Easement – Tedesco Family Partners, L.P. 3410 SW 27 Street – Case 3-M-09	28
R-02	10-160	Former River House Restaurant - Release of Request for Proposals for Lease 301 SW 3 Avenue	28

R-03	10-161	Disposition of Surplus Property - Progresso	29
R-04	10-162	Disposition of Surplus Property – Lincoln Park First Addition Corrected	30
R-05	10-163	Dock Permit Application – Private Use of Public Property Patricia Denly – 1013 Cordova Road	30
R-06	10-164	Board and Committee Appointments	31
PH-01	C-10-19	Rezoning to Community Facility – House of Worship and School Saint Thomas Aquinas – Parking Lot – Case 5-Z-10	32
PH-02		Amendments to Annual Action Plans and Consolidated Plans - 3 Prior Years CDBG and Home Investment Partnership Grant Programs	33
PH-03		2010-2015 HUD Consolidated Plan - Neighborhood Revitalization Strategy	38
PH-04		2010-2011 HUD Annual Action Plan Grant Funding – CDBG, Home, ESG and HOPWA Programs	39
PH-05	10-165	Dock Waiver Application – Distance of Limitations Parc View Townhomes Homeowners Association – 2800-2806 NE 15 Street	45
PH-06	10-166	Dock Waiver Application – Distance of Limitations SE 15 Street Boat Launching and Marine Complex – 1784 SE 15 Street	46
PH-07		Community Bus Service – Northwest Circulator - Funding and Route Changes Downtown Fort Lauderdale Transportation Management Association	47
O-01	C-10-20	Code Amendment – Chapter 26 – Traffic - Traffic Intersection Safety Act Enforcement – Red Light Traffic Control Signal Violations	47
O-02	C-10-21	Affordable Housing Advisory Committee	48
O-03	C-10-	Code Amendment – Chapter 25 – Streets and Sidewalks Sidewalks – Constructed or Reconstructed	48
OB		Task Order #2 – Corzo, Castella, Carballo, Thompson, Salman, P.A. (C3TS) For Construction Inspection Services on NW Improvement Project	49
OB		FIND Dredging Grant Application	50

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
June 15, 2010**

Meeting was called to order at 6:04 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 Jaime Costas

Invocation was offered by Reverend Michael Happy Hoyer, Our Lady Queen of Martyrs Parish, followed by the recitation of the pledge of allegiance led by Thomas Yevoli.

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

Motion made by Commissioner Roberts and seconded by Commissioner DuBose to approve the minutes of the May 4, 2010 Regular and Conference Meetings. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

Presentations

**1. 32nd Annual Community Appearance Board Awards (PRES-01)
Sponsors of WOW Award Program**

Vice Mayor Rogers recognized West City Partners, Inc.; Clad Tile & Stone; Floridian Partners, LLC; Greenberg Traurig, P.A.; Stiles Corporation; Dickey Consulting Services, Inc.; Lochrie & Chakas, P.A.; Ruden McClosky, P.A.; and Gianni Feoli for sponsoring the Community Appearance Board's WOW Award Program, 32nd annual awards event. Mayor Seiler thanked the sponsors for their support.

2. Kings Minors and Majors Baseball Teams – (PRES-02)
Joseph C. Carter Park

Commissioner DuBose recognized the Joseph C. Carter Park Kings minors and majors boys' baseball teams, managers, and coaches for achieving membership in the Babe Ruth League as well as the minors' championship win and the majors' first runner-up placement at the Friendship Invitational Baseball Tournament. Matt Walters, Manager, thanked the City's Parks and Recreation Department and the Commission. Commissioner DuBose thanked Mr. Walters for his effort.

3. Parks and Recreation Month – July, 2010 (PRES-03)

Commissioner Rodstrom presented a proclamation designating July, 2010 as Parks and Recreation Month in the City to Mark Hartman, Chair of the Parks, Recreation, and Beaches Board. Mr. Hartman thanked the Parks and Recreation staff for their dedication to providing quality programs and facilities.

4. Drowning Prevention Day – July 16, 2010 (PRES-04)

Commissioner Roberts presented a proclamation designating July 16, 2010 as Drowning Prevention Day to Andrea Crawford, Broward County YMCA. Ms. Crawford thanked the Commission and Principal Deborah J. Owens at Stranahan High School for granting use of the school's pool for YMCA summer swim instruction for the City's children.

5. Recognition – Vicki Flournoy - (PRES-06)
2010 Assistant Principal of the Year Acclaim Award
Lauderdale Manors Elementary School

Commissioner DuBose presented a proclamation designating June 15, 2010 as Vicki Flournoy, Assistant Principal of the Year 2010 Day to Vicki Flournoy, Assistant Principal, Lauderdale Manors Elementary School. Ms. Flournoy expressed her honor to represent her community and thanked the Commission. Mayor Seiler congratulated Ms. Flournoy.

6. Recognition – James Griffin – (PRES-05)
2010 Principal of the Year Acclaim Award
Rock Island Elementary School

Commissioner DuBose presented a proclamation designating June 15, 2010 as James Griffin, Principal of the Year 2010 Day to James Griffin, Principal, Rock Island Elementary School. Mr. Griffin thanked the Commission and expressed gratitude to City staff for their involvement in his school. Mayor Seiler congratulated Mr. Griffin.

Change Order 1 – Valcom Design & Construction, Inc. - \$331,379.81 (M-13)
Police Department Building Hurricane Wind Retrofit – Add 90 Work Days

Please see funding information attached to these minutes.

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

Grant Acceptance – Energy Efficiency and Conservation Block Grant (CR-11)
U.S. Department of Energy - \$1,936,400

Please see funding information attached to these minutes. *

The City Clerk announced the following funding changes to this item: 1) Sub-object 3199, Name: Other Professional Services has changed from \$885,000.00 to \$886,879.00; 2) Sub-object 6416, Name: Vehicles has changed from \$381,000.00 to \$371,121.00; and 3) Sub-object 3199, Name: Data Procassing Supplies has changed from \$17,000.00 to \$25,000.00. The total amount remains the same: \$1,936,400.00.

* Funding revised

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 – Juneteenth 2010 Celebration (M-01)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Old Dillard Foundation, Inc. for Juneteenth 2010 Celebration, to be held June 19, 2010, 1 PM – 5 PM, at Old Dillard Museum grounds – 1009 NW 4 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0748

Event Agreement – Feldman Park Backyard Bash (M-02)
Closing Alley that Runs Through Park

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Downtown Development Authority for Feldman Park Backyard Bash, to be held June 25, 2010, September 30, 2010 and November 18, 2010, 5:30 PM – 8:30 pm, at Peter Feldman Park and closing alley that runs through the park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0828

Event Agreement – 100 Black Men Community Empowerment Project (M-03)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with 100 Black Men of Greater Lauderdale, Inc. for 100 Black Men Community Empowerment Project, to be held June 19, 2010, 3 PM – 5 PM, at Avenue of the Arts Executive Suites – 401 NW 7 Terrace.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0829

Event Agreement – South Florida Beach Safety Expo 2010 (M-04)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Greater Fort Lauderdale Sister Cities International, Inc. for South Florida Beach Safety Expo 2010, to be held July 9, 2010, 1 PM – 7 PM, and July 10, 2010, 10 AM – 7 PM, at International Swimming Hall of Fame – Aquatic Complex and the beach directly across A-1-A from Aquatic Complex.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0830

Event Agreement – Grav-i-tate at the Lawn (M-05)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with The Las Olas Company, Inc. for Grav-i-tate at the Lawn, to be held June 25, 2010, 8 PM – 11 PM, on the Riverside Hotel lawn.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0834

Event Agreement – Kayak Against Cancer

(M-06)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Charles H. Noonan, individual, for Kayak Against Cancer, to be held June 19, 2010, 7 AM – 5 PM, on Fort Lauderdale beach, in the ocean and Intracoastal Waterway.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0835

Event Agreement – The Red Eye

(M-07)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with ArtServe, Inc. for The Red Eye, to be held July 23, 2010, 6 PM – 9 PM, on ArtServe property – 1350 East Sunrise Boulevard.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0839

Event Agreement and Co-Sponsorship – Saturday Nite Alive

(M-08)

No budgetary impact.

A motion authorizing and approving 1) execution of an Event Agreement with Wizard Entertainment, Inc. for Saturday Nite Alive, to be held July 3, 10, 17, 24 and 31, 2010, 7 PM – 11 PM, in Beach Improvement District along A-1-A, from Harbor Drive to Sunrise Boulevard and 2) co-sponsorship of the event to allow banners, subject to permitting regulations.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0840

Task Order 82 – Camp Dresser & McKee, Inc. - \$269,304 (M-09)
Lohmeyer Wastewater Treatment Plant Improvements

Please see funding information attached to these minutes.

A motion authorizing the proper City Officials to execute 1) Task Order 82 with Camp Dresser & McKee, Inc., in the amount of \$269,304 – engineering services during construction of upgrades to liquid oxygen system, public address system and other concrete improvements at Lohmeyer Wastewater Treatment Plant – Project 11582 and 2) transfer \$269,304 to fund task order.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0787

Funds Transfer – Executive Airport – Taxiway Golf Relocation - \$7,050 (M-10)
Geotechnical Engineering Services

Please see funding information attached to these minutes.

A motion authorizing funds transfer of \$7,050 from Project 11149.468 – Airport Airfield Infrastructure Improvement Project 11149.468 to Taxiway Golf Relocation Project 11453.468 – geotechnical engineering services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0807

Neighborhood and Business Capital Improvement Program (M-11)
Transfer Funds - \$462,650

Please see funding information attached to these minutes.

A motion authorizing transfer of \$462,650 to approved 2010 Neighborhood and Business Capital Improvement grant program projects.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0855

Change Order 1 – Electrical Contracting Service, Inc. (M-12)
George English Park Ballfield Lighting and Related Electrical - \$38,519.20

Please see funding information attached to these minutes.

A motion authorizing Change Order 1 with Electrical Contracting Service, Inc., in the amount of \$38,519.20 – George English Park ballfield lighting and related electrical – Project 10266.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0846

Change Order 1 – Valcom Design & Construction, Inc. - \$331,379.81 (M-13)
Police Department Building Hurricane Wind Retrofit – Add 90 Work Days

Please see funding information attached to these minutes.

A motion authorizing Change Order 1 with VALCOM Design & Construction, Inc., in the amount of \$331,379.81 and the addition of 90 work days to contract period – Police Department building hurricane wind retrofit – Project 11402.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0848

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

Change Order 4 – Quinn Construction, Inc. - \$29,141.47 (M-14)
SW 11 Avenue Swing Bridge Rehabilitation

Please see funding information attached to these minutes.

A motion authorizing Change Order 4 with Quinn Construction, Inc., in the amount of \$29,141.47 plus 7 percent engineering fees – SW 11 Avenue Swing Bridge rehabilitation – roadway restoration due to installation of new sanitary sewer system serving bridge tender building – Project 10057.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0850

Amendment 1 – Task Order 3 – Kessler Consulting, Inc. - \$20,500 (M-15)
Grant Modification – Florida Department of Environmental Protection – Recycling

Please see funding information attached to these minutes.

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 3 with Kessler Consulting, Inc., in the amount of \$20,500 – additional services – Florida Department of Environmental Protection – Innovative Waste Reduction and Recycling Grant – waterways, parks and marine industry recycling programs.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0872

Settlement of Vehicle Accident General Liability File VA GL 06-827 - \$70,000 (M-16)

Please see funding information attached to these minutes.

A motion authorizing settlement of Vehicle Accident General Liability File VA GL 06-827 (Estate of Althea McKay) - \$70,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0824

Extension – Interlocal Agreement – Fire Rescue Services City of Wilton Manors (M-17)

No budgetary impact.

A motion extending interlocal agreement with City of Wilton Manors through September 30, 2010 – fire rescue services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0881

Foreign Trade Zone – Operator Agreement – Fairn & Swanson, Inc. (M-18)

No budgetary impact.

A motion authorizing the proper City Officials to execute five-year operator agreement with Fairn & Swanson, Inc. to activate City's Foreign-Trade Zone Site 2 – Center Port Distribution Center, Pompano Beach, subject to approval of minor boundary modification by U.S. Department of Commerce Foreign-Trade Zones Board and activation request by U.S. Customs and Border Protection.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0820

Contract – Halloween Festival and Haunted Houses – AEG Live SE LLC War Memorial Auditorium (M-19)

No budgetary impact.

A motion authorizing the proper City Officials to execute contract with AEG Live SE LLC – Halloween Festival and Haunted Houses at War Memorial Auditorium – thirteen performances in October, 2010 – term of October 4, 2010 – November 4, 2010.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0844

662-9346 – Contract Extension – Post, Buckley, Schuh & Jernigan, Inc. (M-20)
Hurricanes Katrina and Wilma Damage Remedial Work

Purchases are made on an as needed basis and charged to individual operating budgets per available funds in accordance with established contract billing rates.

A motion authorizing the proper City Officials to execute a final one-year contract extension with Post, Buckley, Schuh & Jernigan, Inc. at original contract hourly billing rates – architectural and engineering consultant services – Hurricanes Katrina and Wilma damage remedial work.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0734

Official Centennial Celebration Artist – Charles Fazzino (M-21)

No budgetary impact.

A motion authorizing the proper City Officials to execute an agreement with Museum Editions, Ltd., exclusive publishing company for Charles Fazzino, appointing Charles Fazzino as official artist for 2011 Centennial Celebration – creation of official artwork for centennial event.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0814

CONSENT RESOLUTION

Donation from Chevy Youth Baseball - \$500 and Raffle Fundraiser Kit (CR-01)
Joseph C. Carter Park Youth Baseball Program

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0818

RESOLUTION NO. 10-167

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

AUTHORIZING ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$500 AND A YOUTH BASEBALL RAFFLE FUNDRAISER KIT FROM CHEVY YOUTH BASEBALL THROUGH THE LOU BACHRODT CHEVROLET DEALERSHIP FOR THE JOSEPH C. CARTER PARK YOUTH BASEBALL PROGRAM; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010, BY ACCEPTING AND APPROPRIATING SUCH GRANT FUNDS AS SET FORTH IN EXHIBIT A.

**Amend Operating Budget – Appropriation - \$6,000
Sponsorship – 2010 Suntrust Sunday Jazz Brunch**

(CR-02)

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0842

RESOLUTION NO. 10-168

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010, BY APPROPRIATING CASH SPONSORSHIP IN THE AMOUNT OF \$6,000 FROM ED MORSE BAYVIEW CADILLAC FOR THE SUNTRUST SUNDAY JAZZ BRUNCH 2010 AND APPROPRIATING EXPENSES IN THE AMOUNT OF \$6,000 INCLUDING A \$780.00 PAYMENT TO JAN BETH IDELMAN, INC., THE EVENT FUNDRAISER, AS SET FORTH IN EXHIBIT A.

**Contract Extension – Southern Florida Paving Group, LLC
Annual Speed Hump Installation Contract - \$46,998**

(CR-03)

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0760

RESOLUTION NO. 10-169

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010, BY APPROPRIATING FUNDS AS SET FORTH IN EXHIBIT A, AND PROVIDING FOR AN EFFECTIVE DATE.

Amendment 5 – Work Authorization 16724.94 – Keith and Schnars, P.A. (CR-04)
Oakland Park Boulevard Water Main - \$37,267.61

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0789

RESOLUTION NO. 10-170

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 FUNDS AS SET FORTH IN EXHIBIT "A," AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NO. 5 TO WORK AUTHORIZATION NO. 16724.94 WITH KEITH AND SCHNARS, P.A. AND PROVIDING FOR AN EFFECTIVE DATE.

Contract Extension – DBF Construction LLC - \$299,722.50 (CR-05)
Installation of Water Service Connections

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0794

RESOLUTION NO. 10-171

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 FUNDS AS SET FORTH IN EXHIBIT "A," AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE FIRST ONE-YEAR CONTRACT EXTENSION WITH DBF CONSTRUCTION LLC AND PROVIDING FOR AN EFFECTIVE DATE.

Amend Operating Budget – Appropriation - \$3,750 (CR-06)
Topographical Survey – River Oaks Stormwater Park

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0845

RESOLUTION NO. 10-172

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 FUNDS AS SET FORTH IN EXHIBIT "A" TO FUND A TOPOGRAPHICAL SURVEY FOR RIVER OAKS STORMWATER PARK AND PROVIDING FOR AN EFFECTIVE DATE.

Florida Department of Transportation Grants – Federal Aid Projects (CR-07)
Signature Authority – Public Works Director

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0869

RESOLUTION NO. 10-173

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING THE PUBLIC WORKS DIRECTOR SIGNATURE AUTHORITY ON FEDERAL AID PROJECT FUNDING REQUESTS AND TIME EXTENSION REQUESTS FOR

ALL FLORIDA DEPARTMENT OF TRANSPORTATION
GRANTS.

Funding Reimbursement – 2005 Organization of American States - (CR-09)
\$250,018

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0836

RESOLUTION NO. 10-174

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT \$250,018 FOR ORGANIZATION OF AMERICAN STATES REIMBURSEMENT.

Regional Plan for Sustainable Development (CR-10)
Establish Partnership to Apply for Grant Funding

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0841

RESOLUTION NO. 10-175

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING THE REGIONAL PLANNING COUNCILS OF SOUTHEAST FLORIDA IN PREPARING A COMPREHENSIVE JOINT APPLICATION UNDER THE FEDERAL SUSTAINABLE COMMUNITIES INITIATIVE AND ESTABLISHING A WORKING PARTNERSHIP AGREEMENT WITH PUBLIC, PRIVATE, NON-PROFIT, AND CIVIC SECTOR ORGANIZATIONS, INCLUDING BUT NOT LIMITED TO, WATER RESOURCE, HOUSING, HUMAN SERVICES, ENVIRONMENTAL AND TRANSPORTATION AGENCIES, COMMUNITY-BASED ORGANIZATIONS, LOCAL GOVERNMENTS, NONPROFIT, ACADEMIA AND RESEARCH INSTITUTIONS, SCHOOL BOARDS AND PRIVATE SECTOR ORGANIZATIONS.

Grant Acceptance – Energy Efficiency and Conservation Block Grant (CR-11)
U.S. Department of Energy - \$1,936,400

Please see funding information attached to these minutes. *

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0852

RESOLUTION NO. 10-176

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FUNDS IN THE AMOUNT OF \$1,936,400.00 FROM THE U.S. DEPARTMENT OF ENERGY, EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH FUNDING AND AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010, BY APPROPRIATING SUCH FUNDS AS SET FORTH IN EXHIBIT A.

*Funding revised.

City Charter Amendment Ballot Language – November 2, 2010 (CR-12)
General Election Sale of City-Owned Property – Affordable Housing or Economic Development

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0864

RESOLUTION NO. 10-158

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE SUPERVISOR OF ELECTIONS TO PLACE A PROPOSED CHARTER AMENDMENT ON THE NOVEMBER 2, 2010 GENERAL ELECTION BALLOT.

Rescheduling July 6, 2010 City Commission Meetings (CR-13)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0705

RESOLUTION NO. 10-177

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCHEDULING THE JULY 6, 2010, REGULAR AND CONFERENCE MEETINGS OF THE CITY COMMISSION TO JULY 7, 2010.

**Grant Acceptance – Small Scale Derelict Vessel Removal Program (CR-14)
Florida Inland Navigation District - \$4,425**

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0773

RESOLUTION NO. 10-178

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SMALL-SCALE DERELICT VESSEL REMOVAL AGREEMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT (“FIND”); TO ACCEPT FUNDING ASSISTANCE FROM FIND NOT TO EXCEED FOUR THOUSAND FOUR HUNDRED TWENTY-FIVE DOLLARS FROM FIND’S SMALL SCALE DERELICT VESSEL REMOVAL PROGRAM AND TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO RECEIVE AND DISBURSE THE FUNDS UNDER THE AGREEMENT; AND FURTHER TO AMEND THE FISCAL YEAR 2009-2010 FINAL OPERATING BUDGET BY APPROPRIATING FUNDS AS MORE PARTICULARLY SET FORTH BELOW.

PURCHASING AGENDA

582-10045 – Increase Expenditure – Records Storage Contract (PUR-01)

Please see funding information attached to these minutes.

Increase expenditure for records storage services is being presented for approval by Public Information Department.

Recommend: Motion to approve.

Vendor: U & Me Transfer Inc.
West Palm Beach, FL

Amount: \$6,750.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0808

The Procurement Services Department has reviewed this item and recommends increasing contract expenditure.

504-10412 – Multi-Space Parking Meters

(PUR-02)

Please see funding information attached to these minutes.

Purchase four additional digital multi-space parking meters is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Digital Payment Technologies Corp.
Burnaby, BC

Amount: \$46,412.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0726

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

**State Contract – Ballistic Resistant and Point Blank
Dragon Fire SWAT Vests**

(PUR-03)

Please see funding information attached to these minutes.

Purchase 22 ballistic resistant vests and 8 Point Blank Dragon Fire SWAT vests due for scheduled replacement, new hires, damaged and expired vests is being presented for approval by Police Department.

Recommend: Motion to approve.

Vendor: SRT Supply, Inc.
St. Petersburg, FL
GL Distributors, Inc.
Pembroke Pines, FL

Amount: \$28,054.40

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0743

The Procurement Services Department has reviewed these items and recommends awarding utilizing the State of Florida Contracts.

Computer Server and Software (PUR-04)
Automated License Plate Recognition Vehicle System

Please see funding information attached to these minutes.

Purchase computer server and software for use with Automatic License Plate Recognition Vehicle System is being presented for approval by Police Department.

Recommend: Motion to approve.
Vendor: Dell Marketing Corporation
 Round Rock, TX
Amount: \$19,148.16
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 10-0810

The Procurement Services Department has reviewed this item and agrees with the recommendation.

State Contract – Tools and Equipment (PUR-05)

Purchases are made on an as needed basis and charged to individual budgets per available funds in accordance with unit pricing.

Two-year contract for purchase of tools and equipment is being presented for approval by Procurement Services Department.

Recommend: Motion to approve.
Vendor: W.W. Grainger Inc.
 Lake Forest, IL
Amount: \$120,000.00 not to exceed – annual amount
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 10-0805

The Procurement Services Department has created this item and recommends approval of a two-year contract to W.W. Grainger Inc., utilizing the State contract.

402-10505 – Reject Bids – Emergency Generator Rental (PUR-06)

No budgetary impact.

Reject all bids for rental of emergency generators is being presented for approval by Public Works Department.

Recommend: Motion to reject.

Vendor: American Portable Air, Inc.
Pembroke Pines, FL
Production Power and Air, LLC
Fort Lauderdale, FL

Bids Solicited/Rec'd: 67/2

Exhibit: Commission Agenda Report 10-0799

The Procurement Services Department has reviewed this item and recommends rejecting all bids.

606-10451 – Engineering Services – Executive Airport (PUR-07)
Master Drainage Study and Plan

No budgetary impact.

A motion accepting Consultants Competitive Negotiations Act Selection Committee's recommendation of ranking firms – engineering services for master drainage study and plan – Executive Airport – Project 11583 and authorizing the proper City Officials to commence negotiations with highest ranked firm, Camp Dresser & McKee Inc.

Recommend: Motion to approve.

Vendor: Camp Dresser & McKee Inc.
Cambridge, MA

Bids Solicited/Rec'd: 643/11

Exhibit: Commission Agenda Report 10-0811

The Procurement Services Department has reviewed this item and recommends the highest ranked firm.

Change Order 1 – City Hall Chiller Plant Replacement (PUR-08)
Equipment and Installation Services

Please see funding information attached to these minutes.

Change Order 1 to Purchase Order PP101550 – purchase equipment and installation services related to City Hall Chiller Plant replacement is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Turnkey International, Inc.
Doral, FL

Amount: \$34,370.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0796

The Procurement Services Department has reviewed this item and recommends approval of Change Order 1.

105-10457 – Delinquent Account Collection Services

(PUR-09)

Please see funding information attached to these minutes.

Three-year contracts for delinquent account collection services, with one, one-year renewal option is being presented for approval by Finance Department.

Recommend:	Motion to approve.
Vendor:	Gila Corporation d/b/a, Municipal Services Bureau Austin, TX (Primary) NRA Group, LLC Harrisburg, PA (Secondary)
Amount:	17%, 20% (Collection Fees)
Bids Solicited/Rec'd:	758/12
Exhibit:	Commission Agenda Report 10-0817

The Procurement Services Department has reviewed this item and recommends awards to the first ranked proposers for primary and secondary delinquent collection services.

The following items were removed from the Consent Agenda:

Motion made by Commissioner Roberts and seconded by Vice Mayor Rogers that Consent Agenda Items CR-07, CR-09, CR-12, PUR-01, PUR-02, PUR-04, PUR-05, and PUR-09 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

Florida Department of Transportation Grants – Federal Aid Projects
Signature Authority – Public Works Director

(CR-07)

In response to Commissioner Rodstrom, Albert Carbon, Public Works Director, explained that Commission approval is a requirement for all Local Agency Program (LAP) Agreements. However, this item grants signature authority to the Public Works Director for time extensions on LAPs. Commissioner Rodstrom expressed her desire to maintain the current public process.

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

Funding Reimbursement – 2005 Organization of American States - (CR-09)
\$250,018

In response to Vice Mayor Rogers, the City Auditor confirmed that the funds are returned to the general fund. The funds will not be appropriated; at the end of the year; any excess revenues that are not appropriated will fall to fund balance.

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

City Charter Amendment Ballot Language – November 2, 2010 (CR-12)
General Election Sale of City-Owned Property –
Affordable Housing or Economic Development

Commissioner Rodstrom agreed with a unanimous vote and thought surplus should be included in the ballot question. Although property values are low at this time, this is beneficial for the future. Vice Mayor Rogers desired a four-fifths vote. In response to Commissioner DuBose, Mayor Seiler explained that it is the Commission's discretion to define economic development. The City Auditor pointed out that surplus is so deemed by the Commission based on the fact that there is no current or anticipated need. The same would apply for economic development. He elaborated upon the intent. The City Attorney explained that the definition will be determined by the Commission and not be limited by the HUD definition. Mayor Seiler thought unanimous vote is safest. Commissioner DuBose agreed. In response to Commissioner Roberts, the City Attorney advised that it is unnecessary to refer to the ordinance on the process of declaring property as surplus. Commissioner Roberts favored a four-fifths vote. Mayor Seiler reiterated his preference for a unanimous vote and inclusion of surplus adjective.

Commissioner Rodstrom introduced the following resolution including the surplus adjective and unanimous vote:

RESOLUTION NO. 10-158

A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF FORT LAUDERDALE, FLORIDA,
AUTHORIZING THE SUPERVISOR OF ELECTIONS TO
PLACE A PROPOSED CHARTER AMENDMENT ON THE
NOVEMBER 2, 2010 GENERAL ELECTION BALLOT.

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

Commissioner Rodstrom requested a copy of the revised resolution.

582-10045 – Increase Expenditure – Records Storage Contract**(PUR-01)**

In response to Vice Mayor Rogers, Chaz Adams, Acting Public Information Director, pointed out that scanning a one cubic foot box costs approximately \$43, but storing the box for ten years costs approximately \$20. Only outsourced scanned was researched. In response to Mayor Seiler, Tim Edkin, Information Technology Services Director, explained that most of the main copiers are capable of scanning as are most personal computers. However, a file system with indexing must be in place. A significant amount of up-front work is required. Vice Mayor Rogers suggested utilizing summer workers. Mr. Edkin reiterated that a file structure would first have to be established for the box contents. The paper files could be destroyed, but the disc could possibly malfunction. There is also a cost associated with disc storage. Commissioner DuBose agreed with Mayor Seiler and Vice Mayor Rogers. He thought that disc storage could provide a long-term cost benefit and should be looked into. In response to Vice Mayor Rogers, Mr. Adams advised that records must generally be maintained for ten years. There is a retrieval cost for stored documents. Vice Mayor Rogers pointed out that there are no retrieval costs for disc storage. He stressed the need to develop a more efficient method. Mr. Edkin noted that many documents are scanned and digitized. Discussion arose regarding the length of time various records must be maintained. The City Auditor noted that a proactive, on-schedule shredding program could effectively manage the volume of record storage. He believed the City has not been proactive in purging documents. He went on to advise that the State has not recognized all forms of electronic media as permanent record storage. There are problems with media deteriorating and the ability to read media developed on outdated technology.

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

504-10412 – Multi-Space Parking Meters**(PUR-02)**

In response to Vice Mayor Rogers, Diana Alarcon, Director of Parking and Fleet Services, confirmed that the pay-by-phone program will function with these meters.

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

Computer Server and Software**(PUR-04)****Automated License Plate Recognition Vehicle System**

Commissioner Roberts congratulated Police Chief Frank Adderley for utilizing advanced technology to enhance public safety. Mayor Seiler thanked Chief Adderley.

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

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

State Contract – Tools and Equipment

(PUR-05)

In response to Vice Mayor Rogers, Kirk Buffington, Director of Procurement Services, explained that the contract also includes small pieces of equipment. A budget analysis was not provided because this contract would be used by almost every department. The average expenditure is approximately \$172. This was competitively bid through the State Department of Procurement Services. Departments budget annually for the cost. He noted some examples. Any purchase over \$1,000 requires three quotes, and the p-card has an electronically programmed single transaction limit of \$1,000.

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

105-10457 – Delinquent Account Collection Services

(PUR-09)

Kirk Buffington, Director of Procurement Services, advised that a letter of protest was received today from the third ranked proposer (Penn Credit) for secondary collection. He believed the issues raised are not substantive and do not reflect negatively on the first ranked proposer. Penn Credit does not have legal standing to protest at this time. Their fee is four points above the first ranked proposer; therefore, a change in the award is not recommended. The City Auditor explained that up to forty percent of the total amount can be added to cover collection costs, and suggested the Commission establish an ordinance allowing the City to collect for these costs.

Philip Mennell, representing Penn Credit, noted a twelve-year vendor relationship with the City. He claimed that a large portion of the bid is a collection or contingency fee which is not included. He requested staff be given time to research questions Penn Credit has raised in their protest letter. A copy of the protest letter, dated June 15, 2010, was provided to the Commission and made a part of the record. Penn Credit has a large presence in Broward, Palm Beach, and Miami-Dade counties for a long time and has a great reputation.

The following information was provided in response to questions raised by the Commission. Mr. Buffington asserted that the first ranked proposer, NRA Group, LLC, proposed a 20 percent fee; the second ranked proposer, Progressive Financial Services, Inc., proposed a 22 percent fee, and Penn Credit, the incumbent, proposed a 24.5 percent fee. The evaluation committee considered the fee and criteria such as the collection methods utilized. Mr. Mennell explained that Penn Credit is currently in a primary position with the City and charging approximately 18-20 percent, rather than a secondary position which is 24.5 percent. Mr. Buffington explained that two collection companies are used for two different areas of the city. Gila Corporation d/b/a Municipal Services Bureau (MSB) is the recommendation for the primary collector for placement collection service, excluding parking and EMS (Emergency Medical Services); they

would be a primary collector for water billing. The secondary collector is Penn Credit which collects for parking and EMS. There is already a primary collector in place for parking and EMS. Penn Credit is also the current primary collector for water billing and charges approximately 20 percent. The evaluation committee includes accounts who regularly use this contract (Penn Credit). He was unaware of any performance issue, but rather differences in fees and collection methods. The vendor could be both primary and secondary collector, but there are different methodologies for the secondary. Different vendors are used intentionally. Mike Walker, Procurement Services, noted that primary and secondary collectors are ranked. Penn Credit was ranked third for both categories. Vice Mayor Rogers pointed out one member of the committee appeared to skew the rating. Mr. Buffington stressed that individuals with technical knowledge of the contracts are used on the committee. Commissioner DuBose noted that NRA Group, LLC is not in attendance and Mr. Buffington indicated the protest notification was not received until this afternoon. NRA was notified, but did not have opportunity to attend this meeting. They claim to be members of the Florida Parking Association, and have twelfth ranking although it is unclear what the ranking is associated with. NRA intends to provide proof of each claim; though, neither of these were considered in the evaluation.

In response to Vice Mayor Rogers, Mr. Buffington indicated that a proposed protest procedure will be presented on July 7, 2010.

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

Diana Alarcon, Director of Parking and Fleet Services, advised that the collection cost is being passed along to the debtor.

MOTIONS

**Proprietary – IBM Operating System Support –
Financial Accounting System**

(MD-01)

Please see funding information attached to these minutes.

Annual support for IBM operating system software – FAMIS/BPREP financial accounting system is being presented for approval by Information Technology Services Department.

Recommend:	Motion to approve.
Vendor:	IBM Armonk, NY
Amount:	\$82,260.00
Bids Solicited/Rec'd:	N/A
Exhibit:	Commission Agenda Report 10-0827

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

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

462-9264 – Amendment to Contract – Janitorial Services Citywide

(MD-02)

Please see funding information attached to these minutes.

Amend contract for citywide janitorial services is being presented for approval by Public Works Department.

Recommend:	Motion to approve.
Vendor:	ABM Janitorial Services – Southeast, LLC Houston, TX
Amount:	\$11,700.00
Bids Solicited/Rec'd:	99/13
Exhibit:	Commission Agenda Report 10-0804

The Procurement Services Department has reviewed this item and recommends approval to amend contract.

In response to Mayor Seiler, Albert Carbon, Public Works Director, explained that the space being added will accommodate approximately 25 people. He was unsure of the square footage. Kirk Buffington, Director of Procurement Services, provided some history on this contract originally awarded in 2006, noting it is citywide. Mr. Carbon provided some information as to the accounts charged for this service. Mayor Seiler felt the cost has decreased since 2006. Mr. Carbon agreed to re-bid this, but requested janitorial services for this specific area continue in the meantime. It is a transition from CH2MHill. The cost covers five-night per week cleaning. Mr. Buffington responded to Commissioner Roberts' question about other contracts awarded for this service. Commissioner Roberts noted and Mr. Buffington confirmed that the contract is not city-wide because police buildings are also bid separately. Mr. Buffington requested the item be deferred until he could meet further with staff. In response to Mayor Seiler, Mr. Buffington provided additional history on the contract. Mayor Seiler wanted to revisit the contract, recognizing the economy downturn. Commissioner Rodstrom wanted to make sure there are no added administrative fees with their corporate headquarters not being local.

This item was removed from the agenda.

Speed Hump Installation – Harbour Inlet Drive and Mariner Drive - \$7,500 (MD-03)
Neighborhood Capital Improvement Program – Harbour Inlet

Please see funding information attached to these minutes.

Installation of speed humps on Harbour Inlet Drive and Mariner Drive within Harbour Inlet neighborhood – Neighborhood Capital Improvement Program – Project 11505.

Exhibit: Commission Agenda Report 10-0723

Albert Carbon, Public Works Director, highlighted information in Commission Agenda Report 10-0723. This area did not pass Broward County's speed study with respect to warrants; but, the City's traffic calming policy provides that the County threshold does not have to be met if the neighborhood is granted NCIP (Neighborhood Capital Improvement Program) funding.

Mayor Seiler opened the floor for public comment.

Linda Harriet Socolow, representing Don and Courtney Montanaro of 1816 Harbour Inlet Drive (SE 23 Avenue), summarized her written statement on this topic which is attached to these minutes. She displayed an aerial photograph of the neighborhood. She expressed opposition to the proposed speed humps. She noted that Ben Liss, 1824 Harbour Inlet Drive, authorized her to express his opposition. She recommended only one speed hump south of 1816 Harbour Inlet Drive. She understood that the final location is designed by the engineers. City staff discusses the location with the residents. Mr. Carbon noted the neighborhood survey results.

Don Montanaro, 1816 Harbour Inlet Drive, claimed he had to request a survey to include his vote. Although he has resided at this address for two years, the survey was mistakenly mailed to the prior owner. As proposed, the speed humps would surround his property. There are already adequate traffic control devices in the area. He believes the (County) traffic survey proves there is no issue. On behalf of himself and Mr. Liss, he implored the Commission to reject this item. If there must be a speed hump, he preferred it be south of his property. The speed hump will negatively affect his quality of life. Mayor Seiler asked if he would prefer a speed table. He preferred nothing. He thought the survey included unaffected residents. In response to Commissioner Rodstrom, he indicated that his property is 75 feet wide, and Mr. Liss' property is about the same.

In response to Mayor Seiler and Commissioner Rodstrom, Mr. Carbon reviewed the survey provided in the backup and clarified that only the affected portion of the neighborhood was surveyed. He went on to note the detailed explanation of the project in the backup that was provided with the survey. There will be a total of two signs placed near the speed humps, entering the neighborhood.

Jennifer Yevoli, 1824 SE 18 Street (Mariner Drive), felt that speed tables are effective and necessary. There are young children and fast drivers on her street. It is used as a main travel artery to beach area condominiums. She encouraged the Commission to approve this item. She pointed out her home's location on the map in the commission agenda report. It is one house west of the proposed speed table on Mariner Drive. Speed humps on Harbour Inlet Drive would not affect her street. Commissioner Rodstrom thought the speed table on Mariner Drive is warranted because multi-family housing on this street increases traffic.

Chris Relyea, 2217 SE 19 Street, noted he lives across the street from Mr. Montanaro. He affirmatively responded to the survey. His driveway is on SE 23 Avenue. He claimed

traffic studies show 1,000 cars per day drive past his home. Over the past ten years, more young families have moved into the area. He witnessed three dogs run over. He went on to discuss some traffic flow logistics including that fast-moving traffic uses his street to reach beach area condominiums. Mayor Seiler suggested one speed hump rather than two be placed in the middle of the street. Mr. Relyea was willing to allow speed hump installation anywhere near his property. He disputed the argument that speed humps would delay emergency vehicles.

Genia Ellis, representing Harbour Inlet Association, gave some historical insight about Harbour Inlet's work throughout the years to improve the neighborhood, including traffic calming devices. The neighborhood enthusiastically supported the NCIP grant which included gate arms and three speed tables and voted in favor. She clarified that only the impacted parts of the neighborhood were surveyed. The multi-family units are privately owned townhouses. The issue has been widely advertised and discussed at every association meeting. She expressed the association's support. She summarized a written statement on this topic which is attached to these minutes.

In response to Mayor Seiler, Mr. Carbon indicated the City's guideline for approval is based on meeting Broward County's threshold, a majority of responses. The City will move forward with a 60 percent or higher approval rating. Commission direction is sought if there is less than 60 percent, but over 50 percent approval. In response to Mayor Seiler, Mr. Carbon felt if one was to be installed it should be the southernmost speed hump on SE 23 Avenue. Mayor Seiler thought the goal is to stop the cut-through traffic to the southeast area.

Genia Ellis wanted to reserve the right to return if one is insufficient.

Motion made by Vice Mayor Rogers and seconded by Commissioner Rodstrom to approve the item as amended to provide for installation of a speed table on Mariner Drive and the southernmost speed hump on SE 23 Avenue (Harbour Inlet Drive) as shown on Exhibit 5. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

Mayor Seiler asked the residents to provide a status report on the effectiveness of the approved traffic control devices.

Tiger II Surface Transportation Discretionary Grant Application (MD-04)
Transportation Investment Generating Economic Recovery Program

Please see funding information attached to these minutes.

Transportation Investment Generating Economic Recovery (TIGER) II grant application to U.S. Department of Transportation including identifying \$2 million cash match and project for grant application.

Exhibit: Commission Agenda Report 10-0871

Albert Carbon, Public Works Director, requested direction regarding which projects to apply for. He highlighted information provided in Commission Agenda Report 10-0871.

In response to Mayor Seiler, Kathleen Gunn, Grants and Legislative Affairs, indicated that the Downtown Development Authority (DDA) does not wish to resubmit The Wave project because it does not meet the cost effectiveness of other light rail projects. Mr. Carbon noted that individual bridge projects do not meet the \$10 million threshold. Commissioner DuBose suggested that both projects (A-1-A Greenway and 7 – 9 Avenue Connector) noted in the commission agenda report be submitted. Ms. Gunn explained that the applications require extensive staff time, and only projects with regional collaboration and national impact are desired. She elaborated upon previously funded projects. Based on the evaluation criteria, she thought pursuing funding is a waste of time. Commissioner Rodstrom pointed out the costly \$2 million match. Ms. Gunn noted attempts to partner with the MPO (Metropolitan Planning Organization) and Broward County; however, the County is not submitting and the MPO is submitting a planning grant. The MPO suggested the A-1-A Greenway be submitted, but has not met with staff. Commissioner Roberts asked if funds are allocated to complete these projects. He believed the A-1-A project costs \$27 million. Mr. Carbon noted the only funding currently allocated is \$300,000. Commissioner Roberts believed the 7/9 Connector costs approximately \$20 million. He agreed with Commissioner DuBose that both of the projects should be submitted, despite the required staff time, because funding is necessary. Mayor Seiler asserted that the funding must be spent promptly if awarded. He expressed concern about acquiring the necessary funding to complete the projects. Discussion ensued regarding the match funds. Mayor Seiler wanted to choose one project. Discussion followed on particulars of both projects.

Mayor Seiler suggested all cities in the county submit a joint grant application for the South Florida East Coast Corridor (SFECC). There would probably be funding available from other sources. In response to Mayor Seiler, Mr. Carbon was unaware of any such coalition. Ms. Gunn thought a regional approach would strengthen the application. Mr. Carbon pointed out that the SFECC corridor construction is not within the grant's timeframe of award no sooner than September 15, 2010.

In response to Commissioner DuBose, Ms. Gunn was uncertain if any stipulations exist for funding sources for match funds. Ms. Gunn elaborated upon a funding scenario. It appears the match can be derived from any local funds that are not of federal origin. Commissioner Rodstrom thought this grant potential should have been presented at a prior conference meeting. Mayor Seiler felt this is relatively new. Ms. Gunn explained that the item was brought forward tonight, rather than the July 7, 2010 Conference meeting because of the deadline. She believed the grant was first advertised in June, 2010. Vice Mayor Rogers thought the City would not meet the evaluation criteria because the grant is focused on major projects. Mayor Seiler pointed out a maximum funding amount of \$150 million per state. Vice Mayor Rogers reiterated his belief that the project would hinder staff from completing other projects. Commissioner Roberts agreed, but expressed desire to locate some means of funding for these projects. There was a consensus to forego the grant application.

RESOLUTIONS

Vacate Twelve Foot Utility Easement – Tedesco Family Partners, L.P. (R-01)
3410 SW 27 Street – Case 3-M-09

No budgetary impact.

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 10-159

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN UTILITY EASEMENT LOCATED OVER AND ACROSS THE EAST 6 FEET OF LOT "F", "NEW RIVER GROVES 2ND ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 50, PAGE 7; AND THE WEST 6 FEET OF LOT 17, "NEW RIVER GROVES ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 42, PAGE 30, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN THE BEND BETWEEN SOUTHWEST 28TH STREET AND SOUTHWEST 34TH AVENUE AND THE NORTH EDGE OF THE SOUTH FORK NEW RIVER, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

In response to Vice Mayor Rogers, the City Attorney explained that the resolution could be amended to show the effective date is dependent upon the conditions recommended by the Property and Right-of-Way Committee being met.

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

Former River House Restaurant - (R-02)
Release of Request for Proposals for Lease 301 SW 3 Avenue

No budgetary impact.

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 10-160

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

THAT CERTAIN LAND AND IMPROVEMENTS SITUATED THEREON, OWNED BY THE CITY OF FORT LAUDERDALE, ARE NOT NEEDED FOR GOVERNMENTAL PURPOSES, AND DECLARING THE INTENTION OF THE CITY COMMISSION TO LEASE SUCH LAND AND IMPROVEMENTS PURSUANT TO SECTION 8.09 OF THE CITY CHARTER, LOCATED AT 301 SOUTHWEST 3RD AVENUE, KNOWN AS HISTORIC BRYAN HOMES, LOCATED ON LAND LEGALLY DESCRIBED AS ALL OF PARCEL "B", "THE BAREFOOT MAILMAN" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 152, PAGE 32 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; LESS THAT PORTION SUBJECT TO THE RIVERWALK LINEAR PARK AND UTILITY EASEMENT, LOCATED IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

In response to Vice Mayor Rogers, Stephen Scott, Director of Economic Development, noted an upcoming meeting to discuss a non-profit's possible interim use of the property. The building is aged and requires maintenance, but necessary funding is allocated.

Disposition of Surplus Property - Progresso

(R-03)

No budgetary impact.

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 10-161

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING CERTAIN PROPERTY, DESCRIBED BELOW, NOT NEEDED FOR PUBLIC USE PURSUANT TO CITY CHARTER SECTION 8.04 AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE CITY THAT SUCH PROPERTY BE OFFERED FOR SALE FOR A MINIMUM BID OF \$3,881.00, WITH BIDS TO BE SUBMITTED BY JULY 26, 2010 AND SCHEDULING FOR FURTHER PROCEEDINGS BEFORE THE CITY COMMISSION ON AUGUST 17, 2010 TO CONSIDER A RESOLUTION ACCEPTING OFFER AND AUTHORIZING CONVEYANCE; AND REQUIRING THE CITY CLERK TO PUBLISH THIS RESOLUTION IN ONE ISSUE OF THE OFFICIAL NEWSPAPER OF THE CITY WITHIN SEVEN (7) DAYS OF THE ADOPTION HEREON.

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

Disposition of Surplus Property – Lincoln Park First Addition Corrected (R-04)

No budgetary impact.

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 10-162

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING CERTAIN PROPERTY, DESCRIBED BELOW, NOT NEEDED FOR PUBLIC USE PURSUANT TO CITY CHARTER SECTION 8.04 AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE CITY THAT SUCH PROPERTY BE OFFERED FOR SALE FOR A MINIMUM BID OF \$2,875, WITH BIDS TO BE SUBMITTED BY JULY 26, 2010 AND SCHEDULING FOR FURTHER PROCEEDINGS BEFORE THE CITY COMMISSION ON AUGUST 17, 2010 TO CONSIDER A RESOLUTION ACCEPTING OFFER AND AUTHORIZING CONVEYANCE; AND REQUIRING THE CITY CLERK TO PUBLISH THIS RESOLUTION IN ONE ISSUE OF THE OFFICIAL NEWSPAPER OF THE CITY WITHIN SEVEN (7) DAYS OF THE ADOPTION HEREON.

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

Dock Permit Application – Private Use of Public Property (R-05)
Patricia Denly – 1013 Cordova Road

No budgetary impact.

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 10-163

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING, PURSUANT TO SECTION 8-144 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, THE REPLACEMENT, USE AND MAINTENANCE OF AN EXISTING DOCK

ADJOINING A SEAWALL ON PUBLIC PROPERTY BY PATRICIA A. DENLY, SAID DOCK AND SEAWALL LOCATED ON PUBLIC PROPERTY ABUTTING THE WATERWAY ADJACENT TO 1013 CORDOVA ROAD, THE LEGAL DESCRIPTION OF WHICH IS MORE PARTICULARLY DESCRIBED BELOW, UNDER CERTAIN TERMS AND CONDITIONS.

In response to Commissioner Roberts, Cate McCaffrey, Director of Business Enterprises, explained that this is an after-the-fact permit for use of the public dock so it will include an after-the-fact building permit. Building Services was contacted and she will follow up to ensure the building permit and all associated fees are received.

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

Board and Committee Appointments

(R-06)

No budgetary impact.

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

Aviation Advisory Board	Lee Alexander (Mayor Seiler) Stephen Stella (Commissioner Rodstrom) Gloria Shirley-Brown (Commissioner DuBose)
Education Advisory Board	Nancy Green (Commissioner Roberts) Katie Leach (Commissioner Roberts) Trisha Halliday (Commissioner Rodstrom)
Historic Preservation Board	Daryl Jolly (Vice Mayor Rogers) Mary Jane Bowen Graff (Commissioner Roberts)
Performing Arts Center Authority	John Milledge (Consensus/Mayor Seiler)

Vice Mayor Rogers inquired how the Planning and Zoning Board can operate with only six members who are not disqualified. The City Attorney explained that, because it is quasi-judicial, there must be a determination by a majority, so four votes are required. They must make findings of fact and come to conclusions of law in order for the vote to count. A tie vote fails in a legislative matter. For quasi-judicial, a finding of fact cannot be made on a tie vote. Vice Mayor Rogers indicated the board cannot move forward without another sitting member. The City Attorney advised that the board does not have a quorum for the matter (First Presbyterian Church of Fort Lauderdale). If two appointments are made, they could review the record, hear closing arguments in person and a determination could be reached. If appealed, it will come before the Commission. He confirmed the law allows review of the record by video. If the individuals are appointed tonight, they could not sit in judgment because the meeting is tomorrow. Vice Mayor Rogers felt the new member should be an architect. In response to Vice Mayor

Rogers, Commissioner Rodstrom indicated she has not yet decided upon another appointment. She went on to comment that Mr. Moskowitz was hurt by the situation. Mayor Seiler thought board members must fulfill their obligations to attend hearings and vote. In response to Mayor Seiler, Vice Mayor Rogers and Commissioner Rodstrom indicated they would each have an appointment for the July 7, 2010 meeting. Commissioner Rodstrom asked about considering the creation of alternate positions. Mayor Seiler felt it was simply a matter of all members being appointed. Vice Mayor Rogers reiterated his concern about an individual having to vote without having observed the full process, although he understood the need to move forward.

Mayor Seiler opened the floor for public comment.

Robert Walsh, 401 East Las Olas Boulevard, thought some advisory board members have behaved inappropriately. He understood that John Terrill, chair of the Marine Advisory Board, has reached his term limits, and asked Mayor Seiler to consider replacing him. He had requested the tape from a recent Marine Advisory Board meeting because Mr. Terrill claimed threats were made against him. He elaborated upon details of the conflict. He urged board members to behave appropriately and be respectful of staff. Mayor Seiler explained that the incident is under investigation. He will take action when it is complete.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 10-164

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

PUBLIC HEARINGS

**Rezoning to Community Facility – House of Worship and School (PH-01)
Saint Thomas Aquinas – Parking Lot – Case 5-Z-10**

No budgetary impact.

Applicant: St. Thomas Aquinas High School, Inc.
Location: 2812 SW 12 Street
Current Zoning: Residential Single Family – Low Medium Density RS-8
Proposed Zoning: Community Facility – House of Worship and School CF-HS
Future Land Use: Low-Medium Residential

The Commission announced with whom he or she had spoken with and/or site visits made concerning this matter.

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

Commissioner Rodstrom introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-19

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RS-8 TO COMMUNITY FACILITY-HOUSE OF WORSHIP/SCHOOL (CF-HS) ZONING DISTRICT, LOT 1 THROUGH 6 AND LOT 16, BLOCK 7, "GILLCREST 1ST ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 34, PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE NORTH SIDE OF DAVIE BOULEVARD, BETWEEN SW 28TH TERRACE AND SW 28TH AVENUE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

Amendments to Annual Action Plans and Consolidated Plans – (PH-02)
Prior Years CDBG and Home Investment Partnership Grant Programs

Please see funding information attached to these minutes.

Mayor Seiler opened the floor for public comment.

Patrice Paldino, representing Legal Aid of Broward County, noted her experience and focus of her practice as it applies to this matter. The City proposes to reallocate \$200,000 earmarked for tenant-based vouchers to benefit the disabled and families with children from the 2008-2009 fiscal year. The funds are to be used for purchase assistance and rehabilitation of homes, although there is over \$1 million projected for HOME funds in the 2010-2011 fiscal year. Of the \$1 million, \$817,000 is already earmarked for housing rehabilitation and replacement. The voucher recipients did not receive funds in 2008-2009 nor will they in the future. Homeowners can rent if funds are not provided, but voucher clients will become homeless. She claimed thousands of families are on voucher waiting lists which are now closed. She urged the Commission to find out why voucher funding has not been spent. Commissioner DuBose asked staff to address the questions raised.

Tam English, executive director of Fort Lauderdale Housing Authority, noted the City operated the voucher program for Broward County, but the County recently discontinued it. He thought there are greater needs than those proposed. He elaborated upon a Housing Authority HOPWA (Housing Opportunities for Persons with AIDS) program. The City has not allocated sufficient funding so the properties have been vacant since renovation in 2008-2009. The operating cost would be approximately \$93,000 per year. The City is obligated to HUD (Department of Housing and Urban Development) to operate the eight units as HOPWA for ten years or the funding must be returned. He urged the Commission to meet the (funding) needs. In response to Mayor Seiler, Mr. English noted the ten-year requirement is stated in the City's contract with HUD which was signed in 1996 or 1997. He elaborated on the history of this matter. The requirement can be verified by a HOPWA audit. He believed there is also a problem with Sunshine (Sunnyland) Apartments which has a lingering \$700,000 commitment. Mayor Seiler questioned how the City became bound for ten years which is much longer than a budget cycle. Mr. English explained that the agreement with HUD states ten years and elaborated upon the contract details. Mayor Seiler requested a copy of the HUD agreement.

Jonathan Brown, Housing and Community Development Manager, explained that the Commission did not agree to a ten-year commitment, rather it is a federal regulation. The Commission agreed to provide the rehabilitation funds and any overage could be used as project-based rents. The rehabilitation exceeded the original estimate, so in the alternative the Housing Authority used project-based rent funds. He believed there is approximately \$30,000 to \$50,000 left over from the two contracts for project-based rents. Per the agreement, the Housing Authority is required to ensure HOPWA clients are living in the units. If not, a current HOPWA provider who is receiving project based rent must take over the units. The Housing Authority's contract was reopened in December, 2009 in order to fund the remaining rehabilitation. The final payment was made on April 5, 2010. Mayor Seiler emphasized the importance of complying with HUD so funds are not jeopardized. He wanted staff and the Housing Authority to work together. Mr. Brown indicated that staff provided the Housing Authority with the agencies currently funded through HOPWA that have project-based rents. Funding is the main issue because the Housing Authority failed to apply for HOPWA funds last year. Mayor Seiler recalled the Housing Authority providing a reason for not applying. Mr. Brown asserted there is no tension between staff and the Housing Authority. After tonight, the Housing Authority must ensure that appropriate individuals are living in these units. Commissioner Roberts shared the Mayor's concern and suggested the City Auditor mediate to help bring the parties into agreement. Mr. Brown explained that the issue is a funding source. They agree as to the federal requirements; the question is whether the Commission imposed a ten-year commitment for project-based rents which is not stated in the agreement. The Housing Authority has not been in compliance since the date of conveyance in 2007. Commissioner Rodstrom requested a copy of the agreement and the meeting minutes. Mr. Brown was uncertain about the 1996 date; the City issued the RFP on August 19, 2005. The agreement was effective September 14, 2007. It expired September 30, 2007, but the City extended it to September 20, 2008, and again to September 30, 2009.

Jeri Pryor, HOPWA Administrator, clarified that the agreement's expiration date was September 30, 2007 with the option to extend for one to three years. It expired because there was no renewal. Because the contract expired, the City could not pay the Housing Authority. The City reopened the contracts in December, 2009, to pay the Housing

Authority for rehabilitation costs. HOPWA clients must now be placed in the units as soon as possible. She elaborated upon the Housing Authority's obligations based on the restrictive covenants. The ten-year period extends from the date of the restrictive covenant and the date of the 2007 conveyance.

In response to Commissioner Rodstrom, Mr. Brown explained that HOPWA clients are located through HOPWA agencies. Vice Mayor Rogers pointed out the necessity of a contract with the Housing Authority because the City's agreement to abide by the federal regulations overrides any contractual agreement. The City must now find a funding source. Mr. Brown noted this is not unusual. Mayor Seiler thought that either a contract must be in place or clients from other agencies should be placed in the housing. Mr. Brown stated that staff provided the Housing Authority with contact information and directed them to contact the applicable agencies.

Mr. English explained that the Housing Authority was referred to Broward House which operates a tenant-based voucher program. A ten-year stay is not guaranteed because clients have the option to live anywhere in the county. They cannot steer clients to any of the units. The commitment in the 2005 RFP was to renovate and operate the units as HOPWA for ten years. However, the City has never issued a HOPWA contract for more than one year; rather each year the contracts are renewed. He urged the City to move forward with this. The units cannot be leased now because the contract with the City expires in September, 2010. He elaborated upon problematic issues related to the contract and the deed. He asked the City to withhold fund allocation until the issues are resolved.

Vice Mayor Rogers questioned whether the Housing Authority had funding to move forward in 2007. Mr. English explained how the rents are set. He confirmed the Housing Authority can pay the subsidy for four months based on the amount remaining in the City's allocated funds for 2009-2010. All of the rent operations are supposed to come from HOPWA; it is not part of the Housing Authority's budget. In further response, Mr. English reiterated that, generally, the City renews the contracts each year until the ten-year commitments are met. However, this was not included in the City's budget last year.

Rosalind Osgood, representing MODCO (Mount Olive Development Corporation), gave some history on a similar situation with MODCO and HOPWA. MODCO has had to apply for HOPWA funds each year for ten years. She asked why the other HOPWA providers were not given any referrals. Mr. Brown noted that the Housing Authority was referred to all of the HOPWA providers.

J. Michael McGuigan, representing Broward House, noted his experience working for the City as the HOPWA administrator and offered to assist with his historical insight. Broward House, and other HOPWA providers, received funding for acquisition or substantial rehabilitation which includes a federally regulated ten-year minimum use period for HOPWA eligible clients. The federal government is not required to pay the rents for that period. There are HOPWA eligible clients all over the county who are not receiving subsidies. He noted that Mr. English oversees a multi-million dollar Section 8 program, and as such he thought the Housing Authority could place 10 to 15 eligible families in these units. This would meet the ten-year requirement and would not cost the HOPWA program anything. Unless the Housing Authority applies for funding each year, there is no guaranteed funding for rents. Some clients meet the eligibility requirements

and are defined as low income, but can afford to self-pay the rent. If these clients are placed in the units, no subsidy from HOPWA or any agency is required. He claimed HOPWA encourages and applauds mixing federal funds such as Section 8 to provide housing for eligible families.

Michael Rajner, P.O. Box 2133, Fort Lauderdale, asked how many are on the HOPWA wait list. Ms. Pryor indicated that approximately 230 clients are on the Broward House wait list. Mr. Rajner elaborated upon the need and funding crisis in the HIV/AIDS community. He questioned what role the Commission will take regarding HOPWA. He contended that some providers are acquiring funds, but not providing services. He agreed with Ms. Paldino's message. He thought a collaborative effort is needed and urged the City to establish a task force.

Mr. English requested deferral of this item and item PH-04 until the funding issues are resolved. He thought a resolution is possible within a few months, but was concerned that no funding would be available until next year. Mayor Seiler noted there is no guarantee the Housing Authority will receive funding. Mr. English asserted the units will remain vacant or be used for self-pay clients until funding is received. Mayor Seiler did not believe a deferral would bring resolution. He did not desire public battles over issues subject to audit. The City Auditor explained that, because the Housing Authority is another governmental agency, the City can give the Housing Authority a direct allocation of any HUD funds without an RFP. The City Auditor responded to Mayor Seiler's question on the fairness of the Housing Authority not having to compete. Mayor Seiler stressed the City's focus should be on providing the public these services in the most efficient and effective manner.

Commissioner Rodstrom questioned why funds have gone unused and thought that program changes can create complications. Mr. Brown explained that determinations of need are based on staff's day-to-day knowledge of available funds that can be spent in accordance with HUD guidelines. There are wait list people across Broward County; some live with relatives, others are self-pay tenants in a home or apartment. He was uncertain of how many are currently homeless. Commissioner Rodstrom inquired about the transitional plan for clients as related to the proposed funding changes. Mr. Brown pointed out that all families have been placed in the Homeless Prevention and Rapid Re-Housing Program (HPRP). The 2007 funding was recently spent, but the County has not yet spent the 2008 funds partly because of the Housing Authority's withdrawal from the program. The HPRP funding is in place until March, 2012, or until it runs out. If funding is depleted, another source is sought; if staff cannot locate another source, Commission direction is sought. He went on to respond and discuss funding information in response to Commissioner Rodstrom's concern about unused funds. He noted that HUD does not allow roll-over of administration fees (20 percent) to the next year; the funding must be placed in a program. There are administration fees from 2004 waiting to be placed in a program. The maximum amount of time clients can remain in the program is two years; they are informed of this at the onset. They are then referred to other programs. None of the tenant based voucher clients that moved to the HPRP have complained about the transition process. HUD will take back the funding if it is not spent by July 15, 2010. The amount of HUD funding changes frequently.

In response to Commissioner Rodstrom, Ms. Paldino reiterated her prior statement. Commissioner Rodstrom agreed with her viewpoint.

Commissioner Roberts asserted that Mr. Brown is new to this position and is now trying to take corrective action. He reviewed funding information in the backup. He supported the recommendations.

Commissioner DuBose asked if the funds can be used in another program that still serves the tenant-based voucher demographic. Mr. Brown indicated that the HPRP would serve that population. Ms. Paldino asserted that the HPRP is overwhelmed as are all of Broward County's rental assistance programs. She questioned whether clients could meet the requirement to prove sustainability when the rental assistance term ends. Commissioner DuBose thought that funding the HPRP would still serve that demographic and remove the HUD funds from jeopardy. He stressed the importance of being in compliance with HUD. Ms. Paldino reiterated her desire to ensure this funding reaches the intended population. In response to Ms. Paldino, Mayor Seiler stressed that HUD requires these funds to be spent by July 15, 2010. This is no doubt the reason for staff's recommendation. He elaborated upon discussions with HUD as to the City's program management.

Vice Mayor Rogers also emphasized the importance of spending funds where they are most needed and in this economy rent assistance is in the greatest demand. Commissioner Rodstrom agreed with rental assistance versus rehabilitation. In response to Commissioner Rodstrom, Mr. English confirmed that the Housing Authority obtained rehabilitation funding from the City's HOPWA funds. If eligible tenants are not placed in the units, he thought that HUD would seek reimbursement of approximately \$350,000. The Housing Authority would require \$80,400 from the City in order to fill the units for the year; but the money would not be spent in time to meet the HUD deadline because it covers rent subsidies over the next twelve months. Mayor Seiler reiterated that HUD requires the funding spent, not designated, by the deadline. Commissioner Rodstrom did not believe funding could be spent by the deadline even if used on other projects. Discussion ensued regarding whether twelve months of rent could be pre-paid in order to meet the deadline. Commissioner DuBose was opposed to the idea. In response to Commissioner Rodstrom and Vice Mayor Rogers, Mr. Brown confirmed there is a list of approved applicants for first-time homebuyers as well as rehabilitation programs; funding expenditures will be shifted from other programs to meet the deadline. Work has already begun with permits on the rehabilitation; the homes were to be funded with SHIP (State Housing Initiatives Partnerships) funds which will now be re-assigned to the rehabilitation waitlist.

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

Commissioner Rodstrom noted unused funding for elderly tax and insurance assistance and questioned staff about how many elderly people went without services. She pointed out the time constraints and asked that funding recommendations be brought forward sooner next year.

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

**2010-2015 HUD Consolidated Plan –
Neighborhood Revitalization Strategy****(PH-03)****No current year budgetary impact.**

Mayor Seiler opened the floor for public comment.

Ray Diaz, representing Broward House, referred to the need for services by pointing out that Broward House received 800 housing applications in a period of four days. He was opposed to direct cost reimbursement approach. It will actually cause increased costs to implement.

J. Michael McGuigan, representing Broward House, indicated that Broward House is agreeable to the five-year plan, except for the proposed direct cost reimbursement process. He supported staff's recommendation to create an advisory board for HOPWA.

Michael Rajner, P.O. Box 2133, Fort Lauderdale, also elaborated upon the need. He emphasized the benefit of a collaborative effort that includes consumer input. He urged the City to establish a task force.

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

In response to Mayor Seiler, Jonathan Brown, Housing and Community Development Manager, elaborated on staff's recommendation concerning direct cost reimbursement raised by Broward House. There is time to review this issue and bring it back. Mayor Seiler requested the term, cost reimbursement, in the interim. In response to Commissioner Rodstrom, Mr. Brown confirmed that transitional housing programs are based on per diem rates, and others are cost reimbursement. Permanent housing programs are not on a per diem reimbursement plan. He corrected the third recommendation in Commission Agenda Report 10-0753 to read consolidated action plan. He also agreed to include full explanations of the new programs at an upcoming conference meeting. He also clarified aspects of the Voucher-To-Homeownership Program.

Commissioner DuBose requested the language change be made before the new RFP is issued. Mr. Brown noted the customary timeline for issuance of the RFP.

In response to Commissioner Rodstrom, Mr. Brown indicated that this component will be part of the consolidated plan along with census data and the Public Housing Authority plan. The full consolidated plan will be brought back to a conference agenda.

Motion to approve as recommended with the following amendments: revision of the Facility Based Housing Assistance cost reimbursement process to delete "direct", and correction of the typographical error in recommendation to indicate staff is authorized to submit the Consolidated Action Plan to HUD for approval, by Vice Mayor Rogers and seconded by Commissioner Roberts. Roll call showed: YEAS: Commissioner Roberts,

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

2010-2011 HUD Annual Action Plan
Grant Funding – CDBG, Home, ESG and HOPWA Programs

(PH-04)

No current year budgetary impact.

Mayor Seiler opened the floor for public comment.

Robert Walsh, 401 East Las Olas Boulevard, thought the HOPWA (Housing Opportunities for Persons with AIDS) funds could create liability for the City. He claimed some local establishments promote people to get sick. He encouraged the City to disburse the funds responsibly, but businesses and the community should also be accountable.

J. Michael McGuigan, representing Broward House, summarized his written statement on this topic which is attached to these minutes. In response to Mayor Seiler, Mr. McGuigan indicated the cost for each family is approximately \$700 per month or \$8,400 per year; plus staff cost is \$450,000. For each \$10,000 addition or reduction, a family can either be added or removed separate from staff cost. In response to Commissioner DuBose, he explained that \$8,400 is the average housing assistance payment which includes the landlord's rent less the client's payment based on the federal formula. Commissioner DuBose thought the unit cost is not a true reflection of the expense. Mr. McGuigan elaborated upon how to derive the per family cost including administrative fees. Mayor Seiler expressed desire to compare Broward House's cost per family with other providers. There is no guarantee on the same amount of funding every year to any particular agency. Mr. McGuigan pointed out that Broward House has committed to its clients with HOPWA vouchers to provide permanent housing. Broward House is obliged to fund the HOPWA voucher permanent housing first and then look at other programs. Mayor Seiler emphasized the City's goal is to assist as many families as possible. Mr. McGuigan indicated that Broward House is the sole provider of the voucher program. The staff costs are not dependent upon the number of voucher clients. The only funds that go directly to Broward House are approximately \$500,000 that covers staff costs and a seven percent administrative fee. Commissioner DuBose pointed out that actual staff cost is not clear. Mr. McGuigan reiterated between the administrative and direct staff costs, it is approximately \$500,000. He elaborated upon the types of staffing. Mayor Seiler asked if the seven percent included in the \$500,000. Mr. McGuigan advised that \$2,300,000 is rent alone.

Vice Mayor Rogers asked if only the most disadvantaged clients could be funded. Mr. McGuigan explained that an acuity could be established, but ultimately 38 families would still have to leave the program if additional funding is not granted. The existing rules do not provide for an acuity. City staff would have to make that determination as to the most disadvantaged clients. Mayor Seiler thought Broward House should address higher income clients in order to service more of the lower income clients. Mr. McGuigan contended he has no authority to make that adjustment; the City would have to provide that specific direction. He referred to the spread sheet included with his written statement. He elaborated upon his recommendation of two options for meeting the \$300,000 funding need. The option he recommended was to hold all permanent housing

harmless, but cut all non-permanent housing programs by 2.57 percent. In response to Vice Mayor Rogers, he confirmed the entire (yearly) budget for Broward House is \$12 million; all but \$400,000 originates from government sources. He elaborated upon the amount of funding received from certain government entities.

Mayor Seiler thought the staff cost should decrease in conjunction with a client reduction. Mr. McGuigan pointed out \$400,000 in relation to \$2.3 million is fractional, making a staff reduction implausible in reality. The program currently has five staff. Commissioner DuBose thought the administrative costs may be excessive; he did not see it adding up to seven percent. Discussion ensued regarding the administrative costs. Mayor Seiler clarified that the administrative cost should be seven percent of \$2.6 million. Mr. McGuigan concurred. Jonathan Brown, Housing and Community Development Manager, explained that there are seven percent administrative costs and separate project delivery costs. Mayor Seiler pointed out that the administrative cost of \$200,000 should not be counted again in the seven percent. In further response to Mayor Seiler and Commissioner DuBose, Mr. Brown advised that the Commission originally approved \$2.4 million in 2008-2009 and again this year. Staff is recommending for next year \$2.5 million. Mr. McGuigan contended that Broward House was able to operate in the current year with \$2.4 million because there were carry-over funds; but they had to stop growing the program rather than serve 320 clients as originally proposed. However, \$2.8 million is necessary to continue the program. An additional \$300,000 is necessary or direction on how to remove 38 families from the program.

Michael DeLucca, president of Broward Regional Health Planning Council, noted that his agency passed a HUD (Department of Housing and Urban Development) audit with no issues. Their clients are pleased with the services. He elaborated upon the ways that case management funding has positively impacted the community. He expressed support of staff funding recommendations. In response to Mayor Seiler, Mr. DeLucca confirmed that \$54,000 (yearly) is budgeted for housing case management.

Marie Wells, representing Mount Bethel Human Services, described her agency's childcare assistance program and family resource center. She indicated that the programs are funded by CDBG (Community Development Block Grant), and elaborated upon program specifics. Mount Bethel does not receive any administrative costs for the childcare assistance program. She requested continuation of their existing funding. In response to Mayor Seiler, Mr. Brown indicated that Mount Bethel's programs are not listed in the backup, but their family resource center makes them eligible for small business financial assistance. Last year, \$210,000 was granted to Mount Bethel; however, this year the agency must compete with others for \$200,000.

Wade Patterson, representing Community Aids Resource (CARE Resource), noted that his agency provides HOPWA case management, and expressed support of staff funding recommendations. He claimed that, currently, less than two FTE's (full-time equivalent) employees are allocated to manage the \$8 million HOPWA program. He suggested a supported the minimal investment in the Homeless Management Information System (HMIS) because it would provide the county with comprehensive data and provide many benefits. All HOPWA services should be analyzed because of the large discrepancies between agencies' administrative costs. He elaborated upon the necessity to focus on client needs. Clients are moving from one program to another that enables them to receive up to twenty-four months of service instead of six months. He objected to using

a carry-over balance from one funding period to another should be the basis for an agency to set its contract. In general, he felt the Commission should receive more detailed data. In response to Commissioner Rodstrom, he explained that CARE Resource is paying for 2.25 FTE's to administer the HOPWA program.

Tam English, executive director of Fort Lauderdale Housing Authority, mentioned that his agency ran the HOPWA tenant-based voucher program for ten years on a seven percent administrative cost. In response to Mayor Seiler, he indicated the average rent was approximately \$700 per month. He requested an increase of \$25,000 in CDBG funds to allow the two commuter buses to operate full-time annually. He also requested funding for the Step Up program, and elaborated upon the details and benefits of the program.

Francois Leconte, representing Minority Development and Empowerment, Inc., noted his experience as former chairman of the HIV/AIDS Planning Council and as a provider of housing case management for HOPWA. His agency has conducted needs assessments to determine the best use of the limited funds. There is no one agency that can fully address the needs. He expressed support of staff funding recommendations. In response to Commissioner Rodstrom, he explained that his agency charges seven percent for administrative costs and employs three full-time case managers.

Tom Smith, representing Community Aids Resource (CARE Resource), noted his experience as a case management supervisor. His agency served 172 clients with two case managers for less than \$50,000. He urged the City not to de-fund housing case management. He elaborated upon the details and benefits of his agency's case management program and case management in general. He requested the City analyze a per-client cost breakdown for each program to determine the most efficient use of funds. In response to Vice Mayor Rogers, he indicated that he will have personally served approximately 175 clients by the end of the HOPWA contract.

Rosalind Osgood, representing MODCO (Mount Olive Development Corporation), recalled HOPWA negotiations in October (2009), when all of the providers agreed to support funding of case management. The case management component allows providers to create a housing plan and other referral resources for clients. She expressed support of staff recommendations.

Katharine Barry, representing H.O.M.E.S., Inc., expressed support of staff funding recommendations.

David Optekar, representing Broward Housing Solutions, noted that his agency provides housing subsidies for mentally ill persons. He expressed support of staff funding recommendations. In response to Vice Mayor Rogers, he explained that the agency's yearly budget is \$1.5 million; \$500,000 from the Florida Department of Children and Families (DCF), \$65,000 from the United Way, and the remainder is funded by private organizations. The funding will go toward providing housing subsidies to 94 clients. In response to Mayor Seiler, he indicated that all referrals come from the county's major mental health providers; each resident must have a case manager in order to qualify for independent housing. Broward Housing owns and operates seven facilities in the Fort Lauderdale area.

Kenneth Fountaine, representing Shadowood II, noted his experience as an AIDS survivor and HIV care provider. His agency provides permanent housing and emergency transitional services to the homeless. He expressed support of the staff funding recommendations. The Broward House assisted living facility has been an important element in HIV care, but all agencies must adjust their budgets accordingly. In response to Vice Mayor Rogers, he explained that Shadowood's total budget is \$1.3 million which serves HIV clients exclusively; \$100,000 originates from non-government sources. They have approximately 16 employees.

Michael Rajner, P.O. Box 2133, Fort Lauderdale, expressed support of staff funding recommendations. If funds are carried over during a time of increased need for services, it is a sign the program is improperly planned. He elaborated upon (Broward House's) financial information. He expressed concern that emergency access to medications is not being granted to all providers. He pointed out the City does not offer healthcare to domestic partners of employees. He requested the City include domestic partnership benefits and review the non-discrimination policy for gender identity and gender expression.

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

In response to Mayor Seiler, Mr. Brown noted the amount of allocated HOPWA funds for 2009-2010 and 2010-2011. He went on to explain where this year's additional \$400,000 is allocated and elaborated upon justification for it, including a compliance aide position to augment the two staff members currently administering the HOPWA program. Broward House's annual overall budget last year was \$4,564,280 and staff recommends an additional \$114,000 for tenant-based vouchers. He elaborated upon Broward House's budget. Funding for permanent housing is a priority. Mayor Seiler requested a financial breakdown for Broward House's HOPWA clients. He thought a determination must be made about how to define the most disadvantaged. Mr. Brown believed \$700 per month is an average rent payment, but was uncertain of average income. He explained how staff determines what is affordable. Mr. McGuigan explained that the average client income is \$12,000 per year for those receiving \$700 per month for rent. Most clients are very low income.

In response to Commissioner Rodstrom, Mr. Brown confirmed that the Homeless Management Information System (HMIS) is mandated by HUD. Concerning the quality control and compliance aide position, he noted that HUD has made statements about the division being under-staffed, as have most of the providers. The audits also reflect this need. He reviewed the funding requirements delineated in Commission Agenda Report 10-0751. He did not believe the HMIS or the quality control and compliance aide should be removed.

Commissioner DuBose agreed with staff's recommendations, but desired an amendment to restore Mount Bethel's funding. He suggested funding the program at \$200,000. Mr. Brown pointed out that funding for the childcare program would not be eligible based on the recommendation. In response to Commissioner Rodstrom, he elaborated upon the causes and effects of recent budget cuts. No comments were received about Mount Bethel during the public comment period.

In response to Vice Mayor Rogers, Mr. Brown clarified that the housing program rehabilitation item is for single-family homeowners. The Step-Up Program could receive this funding if it is certified for single-family home rehabilitation. In response to Commissioner DuBose, he confirmed that the current budget does not consider potential SHIP (State Housing Initiatives Partnership) funds which would be allocated for housing rehabilitation. The amount of SHIP funding is uncertain.

Commissioners DuBose and Rodstrom expressed concern about staff's recommendation to transfer funding from Mount Bethel's childcare program to housing rehabilitation. Discussion ensued regarding a funding source and the logic behind the recommendation resulting in eliminating the childcare program. Commissioner DuBose stressed that Mount Bethel does not qualify to compete for small business financial assistance so there is no avenue for the agency to re-establish funding. Commissioner Rodstrom agreed. In response to Mayor Seiler, Mr. Brown clarified points in the housing rehabilitation program. Because grant funding is not guaranteed, program income must be created. Mayor Seiler suggested \$50,000 be transferred from small business financial assistance and \$150,000 from housing rehabilitation to fully restore the childcare program. Mr. Brown indicated that the Family Resource Center would be eligible under Economic Development (Small Business Financial Assistance). Therefore, Mayor Seiler revised his suggestion, to transfer \$100,000 from housing rehabilitation. Mr. Brown responded to Commissioner DuBose's question about the competitive process under the Small Business Financial Assistance Program. This program works under the same premise as CDBG-R (Community Development Block Grant – Recovery) which will no longer exist. Commissioner DuBose felt it is unfair to match Mount Bethel against small businesses because it is a social service program. Mayor Seiler reiterated his belief that it is a fairness issue that Mount Bethel compete with other providers for funding. Commissioner DuBose did not believe it is the appropriate category. Mr. Brown mentioned the option of moving funds from the Transitional Housing Management Program. He went on to describe the Transitional Housing Management Program and discussion ensued regarding details of that program. Mayor Seiler suggested reducing it in half or \$25,000. Mayor Seiler and Commissioner Rodstrom inquired why funding allocation was not presented as a conference agenda item. Mr. Brown explained there were only one or two changes from last year and only two this year. In response to Commissioner Rodstrom, Mr. Brown explained that a breakdown of the providers' funding expenditures was not provided this year, but next year each agency will provide a budget that is consistent with this year's HOPWA expenditures. Last year \$803,000 was unspent and re-allocated into the HOPWA program and disseminated among the providers. Commissioner DuBose reiterated his belief about the proposed cut of Mount Bethel and putting it in a position of having to compete. Even with funding to Mount Bethel, the City would still be ahead with Housing Program Rehabilitation dollars. Discussion ensued regarding the placement of Mount Bethel in terms of the program.

Mayor Seiler expressed discontent, reiterating his belief that this item should have been included on a conference agenda. Mr. Brown maintained that the bulk of the changes is under Public Service Activities which are recommendations from the Community Services Board. The Housing Program allocations are staff recommendations after there has been input at public meetings.

Commissioner Rodstrom asked about the \$550,000 for Public Works Department Projects, specifically the amount last year. Mr. Brown indicated last year it was shown

as capital improvement plans and neighborhood capital improvement plan. He elaborated upon HUD's requirements if funding is provided to a city department and how the funds will be used. About \$450,000 or the \$550,000 will be used for WaterWorks 2011. It is the last year of that program. In response to Mayor Seiler, he advised the total amount allocated for public works last year was \$638,000. In further response to Commissioner Rodstrom, he noted that the remaining \$100,000 under Public Works Department Projects will be available for the NCIP (Neighborhood Capital Improvement Plan), CIP (Capital Improvement Program), or BCIP (Business Capital Improvement Program) depending upon Commission direction. At Mayor Seiler's request, Mr. Brown provided last year's funding allocations for certain programs, new and deleted programs recommended as well as more detail on the Quality Control & Compliance Aide new position. He also explained for Commissioner DuBose why there is a small decrease in the Emergency Shelter Grant Program. He explained for Commissioner Rodstrom how the Voucher-To-Homeownership Program allocations would be decided upon and how the program works.

Commissioner DuBose was satisfied with staff recommendations with the exception of Mount Bethel as previously noted. Commissioner Roberts wanted the Step Up Program to have consistent funding because of its value to the community. Mayor Seiler and Vice Mayor Rogers agreed. Mayor Seiler thought there are three members of the Commission in support of Mount Bethel's Childcare program being funded at \$150,000. He suggested funding could be provided from Housing Rehabilitation and Small Business Financial Assistance. Mayor Seiler wanted Step Up to be funded at a minimum of \$150,000. Mr. Brown suggested and Mayor Seiler agreed to cutting \$100,000 from Housing Rehabilitation and \$25,000 from Transitional Housing Management. After some discussion about the potential of Step-Up participants performing the work in the Barrier-Free Program, there was agreement that \$50,000 from Barrier-Free could be accomplished by Step-Up participants subject to confirmation that it would be within HUD guidelines. Mayor Seiler concluded there would then be \$175,000 for Step-Up.

Discussion returned to varying positions on Mount Bethel's request for funding their Family Resource Center at \$60,000 and potential transferring of funding allocations for the \$60,000. Mr. Brown recommended funding it from the Housing Rehabilitation Program to cover \$50,000. Mayor Seiler questioned taking funding from an area where there is a waiting list.

In response to Mayor Seiler, Ms. Wells clarified her request is for the City to continue to fund both programs. Mount Bethel does not receive any administrative dollars for childcare. She delineated how the Family Resource Center funding is used including her position. She did not believe Mount Bethel could compete for the new category (Small Business Financial Assistance). With Commissioners Roberts and Rodstrom supporting funding both of Mount Bethel's requests: child care and the Family Resource Center (\$60,000 and \$150,000), there was consensus approval.

Mayor Seiler summarized that there are no changes to the Emergency Shelter Grant, Home, and HOPWA programs. As for CDBG, Housing Rehabilitation is reduced to \$42,095.20 (clarified by Mr. Brown); Barrier-Free is reduced to \$50,000; Transitional Housing Management is reduced to \$25,000; and Economic Development Activities are reduced to \$150,000. All remaining programs remain the same.

In response to Commissioner Rodstrom, Mr. Brown clarified that the rehabilitation administration funds are still needed at the same level.

Mayor Seiler asked that Broward House focus the Tenant-Based Voucher Program on the most needy. Mr. Brown advised that staff will work with Broward House to determine the most needy clients and to notify those who may not continue in the program next year as soon as possible.

Motion made by Commissioner DuBose and seconded by Commissioner Roberts to approve the item with the following amendments: Community Block Grant Housing Programs revised: Rehabilitation reduced to \$42,095.20; Barrier-Free reduced to \$50,000; Transitional Housing Management reduced to \$25,000; Economic Development Activities reduced to \$150,000; Mount Bethel Childcare Assistance added in the amount of \$150,000; Mount Bethel Family Resource Center added in the amount of \$60,000; Housing Authority Step-Up added in the amount of \$175,000 including \$50,000 for Barrier-Free work with the understanding that if possible Step-Up participants would be used for that work. See Mayor Seiler's summarization of Commission direction with respect to the Tenant Based Rental Voucher Program. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers and Mayor Seiler. NAYS: None.

**Dock Waiver Application – Distance of Limitations
Parc View Townhomes Homeowners Association –
2800-2806 NE 15 Street**

(PH-05)

No budgetary impact.

Applicant: Parc View Townhomes Homeowners Association
Location: 2800-2806 NE 15 Street

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

Mayor Seiler opened the floor for public comment.

Fred Blitstein, representing Parc View Townhomes Homeowners Association, provided background as detailed in Commission Agenda Report 10-0573. In response to Commissioner Rodstrom, Mr. Blitstein confirmed that the boatlift extension does not extend into the canal beyond the allowable length. The pilings are within the allowable 20 feet. The boat will not extend beyond the pilings.

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

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 10-165

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.B OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW PARC VIEW TOWNHOMES HOMEOWNERS ASSOCIATION, INC., A FLORIDA CORPORATION ("APPLICANT") TO CONSTRUCT AND MAINTAIN AN ELEVATOR TYPE BOATLIFT TO EXTEND INTO THE WATERS OF THE RIO ENCARNADA CANAL APPROXIMATELY 19' FROM THE APPLICANT'S PROPERTY LINE, SUBJECT TO CERTAIN TERMS AND CONDITIONS.

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

Dock Waiver Application – Distance of Limitations (PH-06)
SE 15 Street Boat Launching and Marine Complex – 1784 SE 15 Street

No budgetary impact.

Applicant: City of Fort Lauderdale
Location: 1784 SE 15 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 Vice Mayor Rogers and seconded by Commissioner Roberts to close the public hearing. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 10-166

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 & D. OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW THE CITY OF FORT LAUDERDALE TO CONSTRUCT AND MAINTAIN FIVE FINGER PIERS EXTENDING MAXIMUM DISTANCES FROM 13'8" TO 17'5" INTO THE WATERS OF THE SEMINOLE RIVER FROM THE CITY OWNED PROPERTY KNOWN AS THE S.E. 15TH STREET BOAT LAUNCHING AND MARINE COMPLEX LOCATED AT 1784 S.E. 15TH STREET, FORT LAUDERDALE, WHERE

SECTION 47-19.3.B WOULD OTHERWISE ONLY PERMIT SUCH FINGER PIERS TO EXTEND 12'5" BEYOND THE PROPERTY LINE, SUCH WAIVER BEING SUBJECT TO FURTHER TERMS AND CONDITIONS.

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

**Community Bus Service – Northwest Circulator – (PH-07)
Funding and Route Changes**

Downtown Fort Lauderdale Transportation Management Association

No budgetary impact.

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

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

ORDINANCES

**Code Amendment – Chapter 26 – Traffic – (O-01)
Traffic Intersection Safety Act Enforcement -
Red Light Traffic Control Signal Violations**

No budgetary impact.

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHAPTER 26, ARTICLE VII, TRAFFIC INTERSECTION SAFETY ACT TO COMPLY WITH "MARK WANDALL TRAFFIC SAFETY ACT"; LAWS OF FLORIDA 2010-80, AUTHORIZING THE CITY TO USE TRAFFIC INFRACTION DETECTORS TO ENFORCE VIOLATIONS OF RED LIGHT TRAFFIC CONTROL SIGNALS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

The City Attorney noted that the sole function of this ordinance is to bring the previous ordinance into compliance with recent state legislation. In response to Mayor Seiler, he explained that the contract is currently being negotiated in order to meet the terms of the proposed ordinance. The contract will be brought back to the Commission.

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

Affordable Housing Advisory Committee

(O-02)

No current year budgetary impact.

Commissioner Rodstrom introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING ORDINANCE NO. C-08-24 CREATING THE SHIP AFFORDABLE HOUSING ADVISORY COMMITTEE PURSUANT TO THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM TO CHANGE THE NAME OF THE COMMITTEE, INCREASE MEMBERSHIP AND TERM, AND PROVIDE ADDITIONAL DUTIES.

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

**Code Amendment – Chapter 25 – Streets and Sidewalks
Sidewalks – Constructed or Reconstructed**

(O-03)

No budgetary impact.

In response to Commissioner Rodstrom, Albert Carbon, Public Works Director, confirmed that staff would send letters to the individual residents. A sample letter is included with Commission Agenda Report 10-0833. Vice Mayor Rogers thought the letter is improved, but believed the Commission should maintain the authority to direct staff when to send the letters. Commissioner Rodstrom agreed. Commissioner Roberts was willing to delegate this authority to staff. Vice Mayor Rogers wanted to approve the sample letter only. The City Attorney explained if the ordinance is not supported, it is not necessary to approve the sample letter because current practice will be followed.

Commissioner Rodstrom introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-

AN ORDINANCE AMENDING CHAPTER 25, STREETS AND SIDEWALKS, ARTICLE II, CONSTRUCTION AND REPAIR OF SIDEWALKS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA BY REPEALING SECTION 25-58, DETERMINATION OF NECESSITY FOR CONSTRUCTION OR RECONSTRUCTION, AND AMENDING SECTION 25-59, NOTICE TO OWNERS TO CONSTRUCT, RECONSTRUCT, REPAIR, ETC., AND SECTION 25-56, DUTY OF OWNER OF ABUTTING PROPERTY, TO ELIMINATE THE NEEDS FOR THE CITY COMMISSION TO DETERMINE BY RESOLUTION ALL PLACES AND SITES IN THE CITY WHERE IT IS NECESSARY OR ADVISABLE FOR SIDEWALKS TO BE CONSTRUCTED OR RECONSTRUCTED.

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

Task Order #2 – Corzo, Castella, Carballo, Thompson, Salman, P.A. (C3TS) (OB) For Construction Inspection Services on NW Improvement Project

In response to Commissioner Rodstrom, Alfred Battle, Community Redevelopment Agency Director (Northwest), explained that this is the Northwest Neighborhood Improvement Project, noting its location and scope similar to the Dorsey Riverbend project. In response to Mayor Seiler, Mr. Battle indicated the consultant was selected from the list of continuing contracts through Public Works. Albert Carbon, Public Works Director, explained that Task Order 1 was not associated with this project, but rather the contract which is a continuing services contract. Mr. Battle indicated the overall project cost is approximately \$670,000. He noted that when task orders are approved for construction contracts, the administrative and contingency costs included are twelve percent.

Motion made by Commissioner Rodstrom and seconded by Commissioner Roberts authorizing the proper City Officials to execute Task Order 2 with Corzo, Castella, Carballo, Thompson, Salman, P.A. (C3TS), in the amount of \$50,938.00 for construction inspection services on the Northwest Neighborhood Improvement Project (P11485). Funds from this task will be paid from P11485.106/6599, created when the City Commission awarded the construction contract on May 4, 2010 (detailed in Memorandum 10-0149). Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers and Mayor Seiler. NAYS: None.

FIND Dredging Grant Application**(OB)**

Cate McCaffrey, Director of Business Enterprises, highlighted information in Memorandum 10-151 and a letter from Bahia Mar, agreeing to pay for maintenance dredging over a twenty-five year period if the grant is awarded. She provided a copy of the letter, dated June 15, 2010, is attached to these minutes.

In response to Commissioner Rodstrom, the City Attorney confirmed that Rahn Bahia Mar's lease has fifty-two remaining years. Ms. McCaffrey noted that staff was unaware of the maintenance component when the grant application was being completed. Mayor Seiler thought the City is obligated to maintain the canals. Ms. McCaffrey expressed her hope that the necessary dredging will be minimal and will be covered by the City's annual dredging budget; however, it is difficult to predict how much will be required. There is a match for the dredging project. Commissioner Rodstrom was concerned this was not brought to light when the Commission decided upon this particular project as there were many projects and the decision was based upon affordability. Albert Carbon, Public Works Director, advised that the annual dredging budget is \$500,000.

Note: The City Commission adjourned the regular meeting at 1:15 a.m. and returned to the conference meeting, beginning with agenda item II-A, from 1:15 a.m. to 2:03 a.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk