

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
September 7, 2010

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
September 7, 2010**

Meeting was called to order at 6:01 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: Acting City Manager Allyson Love
City Auditor John Herbst
City Clerk Jonda K. Joseph
City Attorney Harry A. Stewart
Sergeants At Arms Sergeants Joyce Fleming and Chris Herbert

Invocation was offered by Pastor James Thompkins, The Love of Jesus Resurrection and Deliverance Fellowship Church, followed by the recitation of the pledge by James Harris.

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 Vice Mayor Rogers to approve the minutes of the August 17, 2010 Conference and Regular Meetings. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Presentations

1. **Commendation – Shawn Allen, Principal of Sunland Park Elementary School** (PRES-04)

Commissioner DuBose presented a commendation to Shawn Allen, Principal of Sunland Park Elementary School, for the innovative techniques she used to motivate students to not only meet, but exceed her 6,000-book reading challenge for the 2009-2010 school year. He also recognized James Harris, a third grade student at Sunland Park Elementary School, for reading the most books in the challenge.

**2. Recognition – Holiday Park 18A Fast Pitch Softball Team (PRES-01)
National Championship Tournament**

Commissioner Roberts and Phil Thornburg, Parks and Recreation Director, recognized the Holiday Park 18A Fast Pitch Softball Team for winning the Clearwater National Championship Qualifier Tournament and advancing to the National Championship Tournament where they finished with a 3-3 record. Ed Angelbello, Head Coach, thanked the Commission and the parks and recreation department for providing the City with quality parks. He recognized each of the team members and assistant coaches. Mayor Seiler thanked the coaches and team members for their hard work.

3. National Aerospace Week – September 12–18, 2010 (PRES-02)

Vice Mayor Rogers presented a proclamation designating September 12-18, 2010, as National Aerospace Week in the City to Virginia Montalvo, president of the Airforce Association Gold Coast Chapter. Ms. Montalvo thanked the Commission.

4. Commendation – Police Detective Avery Figueras (PRES-03)

Commissioner Rodstrom along with Nectaria Chakas and Mary Rhodes, Lake Ridge residents, presented a commendation to Police Detective Avery Figueras for the outstanding service he provided the Lake Ridge neighborhood by developing and executing an effective crime abatement plan. Detective Figueras thanked the Commission and the police department's Street Crimes Unit for their assistance.

5. 15th Annual Achievement of Excellence in Procurement Award (PRES-05)

The Acting City Manager recognized Kirk Buffington, Director of Procurement Services, for attaining the National Purchasing Institute's 15th annual Achievement of Excellence in Procurement Award for 2010. The City has received the award for seven years, and is one of only 20 government agencies in Florida, and one of only 56 cities in the country to receive the award. Mr. Buffington thanked the Commission and recognized staff for their dedicated service.

Waiver – Conflict of Interest – Short Term Residential Committee Member (CR-05)

No budgetary impact.

This item was deferred to October 5, 2010.

**Appeal – Historic Preservation Board – Case 2-H-10 (MD-06)
Demolition – Sailboat Bend Historic District – 201 SW 11 Avenue**

No budgetary impact.

This item was removed from the agenda upon the request of the applicant.

Rezoning to Residential Low-Rise Multifamily – Medium Density - (PH-06)
Case 2-Z-10 City of Fort Lauderdale – 1305-1335 NW 9 Street

No budgetary impact.

This item was deferred to November 2, 2010.

6. Budget Adjustments – Fiscal Year 2010-2011 (PRES-07)

The Acting City Manager, and the following department directors presented slides on budget adjustments for fiscal year 2010-2011: Valerie Bohlander, Director of Building Services; Cate McCaffrey, Director of Business Enterprises; Stephen Scott, Director of Economic Development; Lynda Flynn, Interim Director of Finance; John Molenda, Assistant Fire-Rescue Chief; Tim Edkin, Information Technology Services Director; Phil Thornburg, Parks and Recreation Director; Greg Brewton, Director of Planning and Zoning; Police Chief Frank Adderley; Kirk Buffington, Director of Procurement Services; Chaz Adams, Public Information Specialist; Albert Carbon, Public Works Director; Clara Bennett, Executive Airport Manager; Alfred Battle, Community Redevelopment Agency Director (Northwest); and Diana Alarcon, Director of Parking and Fleet Services. A copy of the slides is attached to these minutes.

The Acting City Manager emphasized that the proposed budget reductions will impact the City's services. She proposed a reorganization model in the finance department that eliminates the office of management and budget. The internal audit department is proposed to become part of the grants and legislative affairs department to ease the management of the City's approximate \$31 million in grant funds. It would be called grants, legislative affairs and compliance department.

7. Fleet Plan Fiscal Year 2010-2011 (PRES-06)

Diana Alarcon, Director of Parking and Fleet Services, highlighted information in Commission Agenda Report 10-1173.

<p>PUBLIC HEARINGS BUDGET</p>

Fiscal Year 2010-2011 Tentative Millage Rate and Budget (PH-01)

No current year budgetary impact.

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

Mayor Seiler announced that this is the first of two public hearings to be held as required by law on the millage rate and budget for fiscal year 2010-2011. He opened the hearing and noted its purpose.

Shonda Singleton-Taylor, Acting Director of Office of Management and Budget, presented slides on the proposed Fiscal Year 2010-2011 property tax millage rate and budget. A copy of the slides is attached to these minutes. There will be some reductions in City services. This is the fourth year in which the millage rate has remained the same, and the sixth year in which property taxes have not increased.

Albert Carbon, Public Works Director, presented slides on the Capital Improvement Program Plan (CIP). A copy of the slides is attached to these minutes. He stressed the importance of contractually mandated completion dates for certain park projects funded by the Broward County Parks Bond.

Mayor Seiler opened the floor for public comment.

Burnadette Norris-Weeks, 2136 NW 4 Street, sought clarification on the City's plan for the New River Condominiums. Mayor Seiler explained that the recommended type of demolition was placed on hold; but the hold will not affect what will be done with the property.

Wilson Figueroa, president of Cross Road Food Bank, summarized a written statement describing Cross Road Food Bank which is attached to these minutes. He requested funding in the amount of \$26,850.

Diane Fiala, development director of Cross Road Food Bank, offered additional information about Cross Road Food Bank's purpose, need and reductions experienced. She made an open invitation to visit the facility.

Mary Macomber, chair of Million Meals Committee, expressed support for funding the Cross Road Food Bank. She explained that poor economic conditions have led to increased hunger. Many programs for the poor have suffered cutbacks; Cross Road is one of few options for the hungry in Broward County.

Edith Lederberg, representing Area-Wide Council On Aging, explained the council provided the City with \$2.8 million in services for senior citizens last year. Of the \$2.8 million, over \$400,000 funded meals. She claimed there are 35,643 (local) residents over the age of 60. She requested funding of \$108,355.

Ainsworth Geddes, chief financial officer of Family Central, provided an overview of the organization's services. He indicated that local funds raised by Family Central are matched by the state and federal governments. Less than 1.6% of monies received goes toward administrative services. He requested funding for Family Central.

Laurie Sallarulo, representing 2-1-1 Broward, summarized statistics and funding information concerning 2-1-1 Broward which is attached to these minutes. The Federal Communications Commission has approved 2-1-1 Broward to be the sole source provider of support information and referral in the county.

Marc Dickerman, 1417 SW 2 Street, expressed support of the budget.

Robert Walsh, 401 East Las Olas Boulevard, expressed support of the budget. He expressed support in lighting for the Broward Center for the Performing Arts. He

supported the discussed salary increase for police captains as well as five percent for other employees. He complimented staff's work.

Lucy Harty, 417 NW 23 Avenue, inquired about alternative plans for New River Condominiums if demolition is not completed. Valerie Bohlander, Director of Building Services, explained that staff is currently working to determine the best option. There are many options. Commissioner DuBose explained that residents in attendance are concerned that a budget reduction may have resulted in one options being eliminated however that is not accurate. Mayor Seiler confirmed that all options are still available.

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

Mayor Seiler pointed out that this Commission has eliminated 135 positions without layoffs.

In response to Commissioner Rodstrom, Mr. Carbon explained that there is no proposed funding for the flooding issue in Riviera Isles. Consideration of red valves will be brought forward on September 21, 2010. CDBG (Community Development Block Grant) funds are appropriated this fiscal year for improvements to South Middle River Park. Alfred Battle, Community Redevelopment Agency (Northwest) Director, noted that funding for expansion of the CRA could not be funded by the existing CRA because it would be a new entity; any appropriation must come from the general fund. Mayor Seiler clarified that would require a budget amendment.

Commissioner Rodstrom indicated that she could not vote to approve this evening until she can review the budget with the Acting City Manager. She will be prepared to vote at the final budget hearing on September 21, 2010.

Mr. Carbon responded to Vice Mayor Rogers' question about improvements to Riverwalk with the proposed \$150,000. As to connectivity at the tunnel-top area, it needs to be scoped out. In response to Vice Mayor Rogers, Mr. Carbon agreed to scope out cost for docks and a boat barge operation. Mayor Seiler expressed desire to extend the tunnel top further north to create some park space. Commissioner Rodstrom agreed.

Commissioner DuBose questioned the projected revenue for the red light traffic cameras. He also questioned if there are unfunded mandates. Police Chief Frank Adderley explained the City will need to evaluate the volume of citations going to the courts. Estimates are based on other (participating) cities. Broward County will provide one magistrate for the county. Based on volume, he believed the City will likely have to request additional assistance from Broward County. Commissioner DuBose raised the issue of parking cases and whether the City would have to bear any of that cost. Diana Alarcon, Director of Parking and Fleet Services, did not believe the City would have to incur parking case costs. Chief Adderley thought many costs for county services are unclear. It is not currently an issue, but he could not project what would happen. Commissioner DuBose did not think one magistrate will be sufficient. Discussion ensued about the volume of citations. Chief Adderley noted that all citations will not be appealed. Norm Mason, Assistant Director of Management and Budget, advised that there could be 13.2 violations fully accruing to revenue per day, per intersection with

eleven intersections which is more conservative than other cities staff consulted. He mentioned speaking with Pembroke Pines, Baltimore and Sacramento. One intersection was added which compensated for money now going to the state and other entities. In response to Commissioner DuBose concerning the twelve police officers stimulus grant funded, Chief Adderley advised the City will begin receiving funding in the upcoming fiscal year and those funds will reimburse the City for the collective bargaining salary raise.

Commissioner DuBose expressed concern about the reduction in City services in light of recent salary raises. He intends to address the proposed service reductions with various departments to get a better understanding before the final budget adoption.

In response to Vice Mayor Rogers, Chief Adderley confirmed that part of the police department's budget reduction is based on eliminating vehicle purchases, except those deemed mandatory under the parking matrix. Ms. Alarcon explained that forty marked vehicles will be replaced next year. The savings stem from extending the lifecycles of some marked and unmarked vehicles; and some vehicles will be refurbished rather than replaced. She offered to provide the original count for police department vehicle replacements.

Commissioner Roberts thought the proposed budget is a good start but noted the need for more changes during the year and development of a three to five-year plan.

Vice Mayor Rogers wanted more information about the \$12 million variance set forth in the City Auditor's memorandum provided the Commission. The City Auditor noted their annual review to assure it is balanced and compliance with state requirements, which has been done successfully. However, he was concerned about the extensive use of the fund balance due to not following budget policies. He pointed out the importance of a favorable bond rating and its impact. He felt that reducing the fund balance should be accomplished for a one-time expenditure. Examples are unfunded pension and OPEB (post-employment benefits) balances. The City's revenues do not currently equal expenditures and will not be corrected next year unless changes are made. Also, staff has not achieved a five percent reduction as directed. Most of the reduction is due to the fleet fund no longer charging departments for vehicle replacements. The draw-down has been shifted from the general fund to the fleet fund, which is not a reduction in cost.

Vice Mayor Rogers understood staff is claiming that the fleet fund was over-subscribed. He thought it is a similar paradigm with the general fund. The City Auditor noted that last year's fleet plan showed approximately \$12 million in reserves for vehicle replacements. However, the amount was determined inaccurate. The current figures are more accurate, but there has not been adequate time to review the assumptions and analysis because they were just made last year. The fleet plan states the annual depreciation is approximately \$11 million which should be recovered in order to replace vehicles. He is not convinced that the fund is actually oversubscribed. Diana Alarcon, Director of Parking and Fleet Services, indicated that adjustments were made to the current fleet plan which brought the fund balance into light. She pointed out that in the City Auditor's audit he suggested a fund balance analysis, which was done with the office of management and budget. Of the current fund balance of \$23.8 million it is believed that approximately \$15 million is needed next year to keep an appropriate reserve amount and to purchase replacement vehicles. This would provide an \$8 million cushion or excess. She was very comfortable with the recommendation of adjusting the fund

balance. Ms. Alarcon responded to Mayor Seiler's question of how much the fund balance was adjusted in the last couple weeks in response to the Auditor's report. She elaborated upon reasons why the fund balance will vary and need adjustment every year. Regardless of budgetary projections on replacements, each vehicle will be evaluated before bringing it forward. In response to Mayor Seiler, the City Auditor reiterated that he has not yet reviewed the revised numbers which were received last week. He elaborated upon discussions and revisions that occurred based on what was identified. Also, with respect to the surplus amounts for vehicles that are sold. Money from vehicle sales is being deposited in the general fund, but should remain in the fleet fund. There has not been sufficient analysis as to current practice. In response to Vice Mayor Rogers, the City Auditor agreed that if the fleet fund is oversubscribed, it is reasonable to shift money back to the general fund or waive charges to departments. The audit made such a recommendation. However, he reiterated his concern that a proper analysis has not been completed. He will devote every effort to complete their analysis of the fleet plan before the final hearing on September 21, 2010.

Vice Mayor Rogers asked about the vacant positions and suggested unfunding those positions not noted to be filled. The Acting City Manager indicated that staff has submitted a detailed response to justify need. She would not recommend cutting everything. Employees are doing a lot more than their original job scopes. Overtime will be created. Twelve positions are proposed. She believed more would impact operations. In further response, she advised that she received the Auditor's report on Friday afternoon before a holiday weekend. Although it was reviewed, more time would be needed for a detailed review. Essentially some positions were left in the budget considering operations. Vice Mayor Rogers thought the Auditor's report should be considered and staff revisit this topic based on that information.

Mayor Seiler agreed that the staff review the Auditor's information and the Auditor also review the new information provided. He also encouraged the Commission to meet with the budget office and City Manager. He hoped that could take place by September 14.

Commissioner Rodstrom recalled conference discussion last year where Vice Mayor Roberts recommended as many unfunded vacancies as possible, except public service. If such an analysis could be completed by September 21, she would be interested in seeing it. Mayor Seiler reiterated that 135 positions have already been eliminated without layoffs over the last two years. There needs to be strategic downsizing. He encouraged the Commission to meet with the Acting City Manager. Commissioner Rodstrom wanted to make sure that ultimately the correct action be taken for the taxpayers. Vice Mayor Rogers pointed out the no layoff policy and as such, the need to address the largest cost of government.

Mayor Seiler announced the proposed millage rate for all general City purposes exclusive of debt service will be 4.1193 which represents an 11.35 percent decrease in the millage rate under the rolled-back rate of 4.6459 mils. The proposed millage rate for debt service for the 1997/2002 General Obligation Refunding Bonds is .1122. The proposed millage rate for debt service for the 2005 General Obligation Bonds is .0497. The proposed millage rate for debt service for the 2010 General Obligation Bonds is .0554.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 10-236

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE TO BE LEVIED BY THE CITY OF FORT LAUDERDALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011.

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

Commissioner Rodstrom introduced the following resolution:

Vice Mayor Rogers announced that his affirmative vote is based on the fact it is a tentative budget. He believes staff can make further reductions.

RESOLUTION NO. 10-237

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA ADOPTING THE TENTATIVE BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011.

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

Mayor Seiler announced the date, time, and place of the final hearing on this matter.

**Sunrise Key Neighborhood Improvement District
Tentative Millage Rate and Budget – Fiscal Year 2010-2011**

(PH-02)

No current year budgetary impact.

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

Mayor Seiler announced that this is the first of two public hearings to be held as required by law on the millage rate and the Sunrise Key Neighborhood Improvement District budget for Fiscal Year 2010-2011. He opened the hearing and noted its purpose.

Shonda Singleton-Taylor, Acting Director of Management and Budget, explained that the Sunrise Key Neighborhood Improvement District taxes residents to provide security to the neighborhood. She indicated that, in April, the district voted a millage of 0.5 mils to generate revenue for services in a tentative budget that she listed for a total of \$81,700.

Mayor Seiler opened the floor for public comment.

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

Mayor Seiler announced the proposed millage rate for all Sunrise Key Neighborhood Improvement District purposes will be 0.5000 mill which represents a decrease of 36.08 percent under the rolled-back rate of .7822 mills.

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 10-238

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE TO BE LEVIED BY THE CITY OF FORT LAUDERDALE FOR THE SUNRISE KEY NEIGHBORHOOD IMPROVEMENT DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011.

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

Commissioner DuBose introduced the following resolution:

RESOLUTION NO. 10-239

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE SUNRISE KEY NEIGHBORHOOD IMPROVEMENT DISTRICT FOR FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011.

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

Mayor Seiler announced the date, time, and place of the final hearing on this matter.

Lauderdale Isles Water Management District
Property Assessment Rate and Budget – Fiscal Year 2010-2011

(PH-03)

No current year budgetary impact.

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

Mayor Seiler opened the hearing on the Lauderdale Isles Water Management District non-ad valorem assessment and budget and noted its purpose.

Shonda Singleton-Taylor, Acting Director of Management and Budget, noted the district adopted their 2010-2011 budget in June. The non-ad valorem assessment will remain the same at \$15 per parcel with 551 parcels for a total budget of \$8,265.

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

Mayor Seiler announced that the proposed Lauderdale Isles Water Management non-ad valorem assessment and budget will be \$15 annually for each property within the district.

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 10-240

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, LEVYING A NON-AD VALOREM SPECIAL ASSESSMENT FOR FISCAL YEAR 2010/2011 ON BEHALF OF THE LAUDERDALE ISLES WATER MANAGEMENT DISTRICT AND APPROVING THE BUDGET FOR THE DISTRICT.

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

Fire-Rescue Special Assessment – Fiscal Year 2010-2011**(PH-04)**

No budgetary impact.

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

Mayor Seiler opened the hearing on the fire-rescue special assessment and noted its purpose.

Shonda Singleton-Taylor, Acting Director of Management and Budget, indicated this program provides funding for fire-rescue services and facilities. The assessment rate will remain the same at \$135 per residential parcel which will generate \$20,663,830.

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

Mayor Seiler announced that the proposed fire-rescue special assessment rate will be \$135 annually for each residential property and the proposed fire-rescue special assessment rate for non-residential properties shall be as shown on the detailed rate schedule provided in the resolution approving the fire-rescue special assessment.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 10-241

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY; ESTABLISHING THE RATE OF ASSESSMENT; IMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED IN THE CITY OF FORT LAUDERDALE, FLORIDA; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

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

Beach Business Improvement District (PH-05)
Annual Rate Assessment and Assessment Roll – Fiscal Year 2010-2011

No budgetary impact.

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

Mayor Seiler opened the hearing on the Beach Business Improvement District special assessment and noted its purpose.

Mayor Seiler announced that the proposed beach business improvement district special assessment rate will be \$0.8525 per \$1000 of assessed value annually for each business property used for commercial purposes as provided in the resolution approving the beach business improvement district special assessment.

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

Commissioner DuBose introduced the following resolution:

RESOLUTION NO. 10-242

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF BEACH BUSINESS IMPROVEMENT SERVICES IN A PORTION OF THE CITY; REIMPOSING BEACH BUSINESS IMPROVEMENT ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE ASSESSMENT AREA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010; ESTABLISHING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

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

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.

Settlement – General Liability File GL 08-594 - \$59,000**(M-01)**

Please see funding information attached to these minutes.

A motion authorizing settlement of General Liability File FL 08-594 (Richard Worwetz) - \$59,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1207

**Settlement – Police Professional Liability Files - \$46,000
PP L 04-867, PP L 04-861, PP L 04-882, PP L 04-868, PP L 04-853****(M-02)**

Please see funding information attached to these minutes.

A motion authorizing settlement of Police Professional Liability Files PP L 04-867, PP L 04-861, PP L 04-882, PP L 04-868 and PP L 04-853 (Keating v. City of Fort Lauderdale) - \$46,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1203

BankAtlantic Bancorp. Inc. – Direct Cash Incentive - \$50,000 (M-03)

Please see funding information attached to these minutes.

A motion authorizing payment in the amount of \$50,000 to BankAtlantic Bancorp Inc. – fifth year payment pursuant to terms of Direct Cash Incentive Grant Agreement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1038

**Recovery Zone Facility Bonds – Financial and Legal Analysis
Shoppes on Arts Avenue and Marina Mile Yachting Center** (M-04)

No budgetary impact.

A motion authorizing financial and legal analysis necessary to process applications for Recovery Zone facility bonds – Shoppes on Arts Avenue and Marina Mile Yachting Center.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1239

**Grant Extension – Citizen Corps Grant Program
Florida Department of Community Affairs,
Division of Emergency Management** (M-05)

No budgetary impact.

A motion authorizing the proper City Officials to 1) submit an extension of 2008-2009 Citizen Corps grant agreement to September 30, 2010 to Florida Department of Community Affairs, Division of Emergency Management and 2) execute all necessary documents to finalize the extension, including the corresponding modification to existing agreement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1243

Grant Extension – Community Emergency Response Team (M-06)
Florida Department of Community Affairs,
Division of Emergency Management

No budgetary impact.

A motion authorizing the proper City Officials to 1) submit an extension of 2009 Community Emergency Response Team grant program agreement to September 30, 2010 to Florida Department of Community Affairs, Division of Emergency Management and 2) execute all necessary documents to finalize the extension, including the corresponding modification to existing agreement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1253

Analysis of Impediments to Fair Housing (M-07)

No current year budgetary impact.

A motion accepting updated Analysis of Impediments to Fair Housing.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1250

No Objection to Plat Note Amendment – CLC Plat – Case 13-P-87A (M-08)
2401 South Andrews Avenue

No budgetary impact.

Applicant: Causeway Lumber Co. Inc.
Location: 2401 South Andrews Avenue
Zoning: General Business B-3
Future Land Use: Commercial

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1172

Partial Satisfaction of Judgment and Settlement Agreement (M-09)
Angela Isham, as Personal Representative, etc. v.
City of Fort Lauderdale, et al

Please see funding information attached to these minutes.

A motion approving settlement of Angela Isham, as Personal Representative of the Estate of David Duane Isham, and on behalf of survivor, Angela Isham v. City of Fort Lauderdale, etc., et al., Broward Circuit Case 03-07988(02) and authorizing City Attorney to execute appropriate documents to implement settlement.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1213

Consent to Assignment of Lease (M-10)
Shop 136 – City Park Mall – 100 SE 1 Street

No budgetary impact.

A motion authorizing the proper City Officials to execute a Consent to Assignment of Lease, the Assignment being from Sushi-Ko Corporation to Bob & Wilson, Inc. for the retail space known as Shop #136 in the City Park Mall.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1235

Instructor Agreement – Partners In Action, Inc. D/B/A Kids Ecology Corps (M-11)
Nature Programming – Snyder Park

No budgetary impact.

A motion authorizing the proper City Officials to execute agreement with Partners in Action, Inc., d/b/a Kids Ecology Corps, for one year with option for three, one-year extensions – provide nature programming services at Snyder Park, effective September 15, 2010 through September 14, 2011.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1193

Change Order 2 – Valcom Design & Construction, Inc. - \$331,379.81 (M-12)
Police Department Building Hurricane Wind Retrofit – Add 90 Work Days

Please see funding information attached to these minutes.

A motion authorizing the proper City Officials to execute Change Order 2 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 10-1184

Change Order 1 – Sun-Up Enterprises, Inc. - \$24,178.50 (M-13)
Restoration of Temporary Fire Station 49 Site – 1015 Seabreeze Boulevard

Please see funding information attached to these minutes.

A motion authorizing Change Order 1 with Sun-Up Enterprises, Inc., in the amount of \$24,178.50 – restore temporary Fire Station 49 site – 1015 Seabreeze Boulevard – Project 11634 – annual contract for ADA modifications, parking lot repairs and construction.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1220

Contract Extension – Various Contractors (M-14)
Annual ADA Modifications, Parking Lot Repairs and Construction

Please see funding information attached to these minutes.

A motion authorizing first one-year extension to contracts with Sun-Up Enterprises, Inc., Hooper Construction, Inc. and Homestead Concrete & Drainage, Inc., in the total amount of \$300,000 (\$100,000 each) – Annual Contract for ADA Modifications, Parking Lot Repairs and Construction – Project 11634.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1202

Second Amendment – Traffic Engineering Agreement – Broward County (M-15)
Traffic Control Devices – Intersection of NE 9 Avenue and NE 3 Street

No budgetary impact.

A motion authorizing the proper City Officials to execute Second Amendment to Traffic Engineering Agreement with Broward County, shifting responsibility for traffic control devices at intersection of NE 9 Avenue and NE 3 Street from Broward County to City, contingent upon Broward County Commission approval.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1225

Speed Hump Installation – NE 9 Avenue - (M-16)
St. Anthony Catholic Church and School

No budgetary impact.

A motion authorizing installation of two speed humps on NE 9 Avenue, between NE 2 Street and NE 3 Street, requested by St. Anthony Catholic Church and School subject to City Commission approval of Second Amendment to Traffic Engineering Agreement with Broward County, Agenda Item M-15.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1232

Undergrounding Utility Lines – SE 2 Street - \$81,396 (M-17)
Agreement – Florida Power and Light Company

Please see funding information attached to these minutes.

A motion authorizing 1) proper City Officials to execute agreement with Florida Power and Light Company for conversion of overhead electric facilities to underground service - SE 2 Street, from SE 2 Avenue to SE 3 Avenue and 2) transfer \$87,093.72 to fund the agreement and 7 percent engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-1781

Contract Award – West Construction, Inc. - \$2,739,000 (M-18)
Southside School Restoration – Interior Work

Please see funding information attached to these minutes.

A motion authorizing the proper City Officials to award and execute contract with West Construction, Inc., in the amount of \$2,739,000 – interior work – construction of Southside School Rehabilitation & Hardy Park Redevelopment – Project 10777D – Bid Package 3, including Base Bid and Additive Bid Alternates 1, 2, 3 and 4 – plus associated 8 percent (5 percent inspection, 2 percent administration and 1 percent survey) engineering fees and contingency.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1200

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

No budgetary impact.

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

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1211

Funds Transfer – Citywide Mesh Security Camera System - \$119,471 (M-20)

Please see funding information attached to these minutes.

A motion authorizing funds transfer of \$119,471 from Project 11494.331 – Police Headquarters E.F.I.S. Wall Replacement Project 11494.311 for Citywide MESH Security Camera System Project 11295.331.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-1186

CONSENT RESOLUTION

Grant Application – Las Olas Mooring Field Perimeter Buoys - \$35,000 (CR-01)
Broward Boating Improvement Program

No budgetary impact – No match funding required.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-1210

RESOLUTION NO. 10-249

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR A BROWARD BOATING IMPROVEMENT PROGRAM GRANT IN THE AMOUNT OF THIRTY FIVE THOUSAND AND NO/100 DOLLARS (\$35,000.00) FOR THE PURCHASE AND INSTALLATION OF BUOYS TO ACT AS PERIMETER MARKERS FOR THE OUTER BOUNDARY OF THE MOORING FIELD AT LAS OLAS ANCHORAGE; TO EXECUTE ANY AND ALL

DOCUMENTS NECESSARY OR INCIDENTAL TO THE APPLICATION FOR THE GRANT, GRANT AGREEMENT AND RECEIPT AND DISBURSEMENT OF GRANT FUNDS PURSUANT THERETO.

**Grant Application – North Side New River Seawall Replacement - \$500,000 (CR-02)
Broward Boating Improvement Program**

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-1204

RESOLUTION NO. 10-250

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR A BROWARD BOATING IMPROVEMENT PROGRAM GRANT IN THE AMOUNT OF FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$500,000.00) FOR THE REPLACEMENT AND CONSTRUCTION OF 900 LINEAR FEET OF THE EXISTING SEAWALL ON THE NORTH SIDE OF THE NEW RIVER / RIVERWALK; TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY OR INCIDENTAL TO THE APPLICATION FOR THE GRANT, GRANT AGREEMENT AND RECEIPT AND DISBURSEMENT OF GRANT FUNDS PURSUANT THERETO.

**Grant Extension – SE 15 Street Boat Launch and Marine Complex (CR-03)
Florida Inland Navigation District**

No budgetary impact to extend the grant agreement.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-1149

RESOLUTION NO. 10-251

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR A ONE YEAR EXTENSION TO THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM GRANT APPROVED FEBRUARY 3, 2009 IN THE AMOUNT OF ONE HUNDRED TWENTY

THOUSAND AND NO/100 DOLLARS (\$120,000.00); EXECUTE ANY AND ALL DOCUMENTS NECESSARY OR INCIDENTAL TO THE APPLICATION FOR EXTENSION OF SAID GRANT, GRANT AGREEMENT AND RECEIPT AND DISBURSEMENT OF GRANT FUNDS PURSUANT THERETO.

**Grant Acceptance – Florida EMS County Grant Program
Automatic Chest Compression Devices - \$61,656**

(CR-04)

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-1237

RESOLUTION NO. 10-252

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$61,656 FROM THE FLORIDA DEPARTMENT OF HEALTH THROUGH THE EMERGENCY MEDICAL SERVICES COUNTY GRANT PROGRAM VIA BROWARD COUNTY FOR THE PURCHASE OF AUTOMATIC CHEST COMPRESSION DEVICES, EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT 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 GRANT FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED HERTO AND INCORPORATED HEREIN.

Waiver – Conflict of Interest – Short Term Residential Committee Member (CR-05)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-1246

RESOLUTION NO. 10-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, WAIVING A CONFLICT OF INTEREST OF H. COLLINS FORMAN JR. AS A MEMBER OF THE SHORT TERM RESIDENTIAL USE COMMITTEE.

This item was deferred to October 5, 2010.

Amend Operating Budget – Appropriation - \$780 Sponsorship – 2010 Suntrust Sunday Jazz Brunch

(CR-06)

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-1171

RESOLUTION NO. 10-253

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 THE ATTACHED EXHIBIT, AND PROVIDING FOR AN EFFECTIVE DATE.

Beach Business Improvement District Advisory Committee Time of Appointment – Alternates

(CR-07)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-1174

RESOLUTION NO. 10-254

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION 07-114 RELATING TO THE CREATION OF A COMMITTEE KNOWN AS THE "BEACH BUSINESS IMPROVEMENT DISTRICT ADVISORY COMMITTEE" IN ORDER TO PROVIDE THAT PROPERTY OWNERS THAT ARE ENTITIES MAY ELECT TO DESIGNATE AN ALTERNATE REPRESENTATIVE WHO SHALL BE

APPOINTED BY THE CITY COMMISSION AND PROVIDING THAT COMMITTEE MEMBERS TERMS SHALL BEGIN IN SEPTEMBER OF EACH YEAR.

Sidewalk Repairs

(CR-08)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-1158

RESOLUTION NO. 10-255

A RESOLUTION REQUIRING THE OWNERS OF CERTAIN PARCELS OF REAL PROPERTY TO RECONSTRUCT OR REPAIR SIDEWALKS ABUTTING THEIR PROPERTIES WITHIN SIXTY (60) DAYS AND, IN THE EVENT SUCH OWNERS FAIL TO DO SO, AUTHORIZING CITY WORK CREWS OR CONTRACTORS, OR BOTH, TO RECONSTRUCT OR REPAIR SAID SIDEWALKS WITH THE COST OF PERFORMING SUCH WORK CONSTITUTING A CHARGE AND LIEN AGAINST SAID PROPERTY.

Change Order 3 – Central Florida Equipment Rentals Inc. - \$96,061.09
City-Wide Force Mains Interconnects and Improvements

(CR-09)

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-1208

RESOLUTION NO. 10-256

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 THE EXHIBIT ATTACHED, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE UNDERLYING DOCUMENT(S) AND PROVIDING FOR AN EFFECTIVE DATE.

**Annie Beck House – Middle River Terrace Park - \$11,000
Disbursement of Funds – Water and Sewer Connection**

(CR-10)

Please see funding information attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-1167

RESOLUTION NO. 10-257

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.

PURCHASING AGENDA

703-10587 – Cut Paper Contract

(PUR-01)

Please see funding information attached to these minutes.

One-year contract for purchase of cut paper is being presented for approval by Business Enterprises Department.

Recommend: Motion to approve.

Vendor: Mac Papers, Inc.
 Jacksonville, FL

Amount: \$33,580.00 (estimated)

Bids Solicited/Rec'd: 430/2

Exhibit: Commission Agenda Report 10-1195

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

702-10549 – Resurface Dive Well Pool – Aquatic Complex

(PUR-02)

Please see funding information attached to these minutes.

Contract to resurface dive well pool at Aquatic Complex is being presented for approval by Business Enterprises Department.

Recommend: Motion to approve.

Vendor: Dillon Pools, Inc.
Miramar, FL
Amount: \$56,250.00 (not to exceed)
Bids Solicited/Rec'd: 1289/6
Exhibit: Commission Agenda Report 10-1201

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

Firefighter Protective Clothing – Bunker Gear (PUR-03)

Please see funding information attached to these minutes.

Two-year contract for purchase of firefighter protective clothing – bunker gear – presented for approval by Fire Rescue Department.

Recommend: Motion to approve.

Vendor: Fisher Scientific Company L.L.C.
Pittsburg, PA
Amount: \$159,854.52 Total for 84 sets for 1st year
Bids Solicited/Rec'd: 598/4
Exhibit: Commission Agenda Report 10-1075

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

505-10531 – Parking Lot Clean-Up Services (PUR-04)

Please see funding information attached to these minutes.

One-year contract for parking lot clean-up services is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: The Landscape Company, Inc.
Pembroke Pines, FL
Amount: \$175,684.30 (estimated)
Bids Solicited/Rec'd: 812/7
Exhibit: Commission Agenda Report 10-1076

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

502-10593 – Three Vehicle Replacements**(PUR-05)**

Please see funding information attached to these minutes.

Purchase three replacement vehicles identified in 2009-2010 Fleet Plan is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Bartow Ford Co., Bartow, FL
Mullinax Ford of Osceola County, LLC, Kissimmee, FL

Amount: \$77,750.00

Bids Solicited/Rec'd: 289/2

Exhibit: Commission Agenda Report 10-1178

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

502-10594 – Nine Equipment Replacement Units**(PUR-06)**

Please see funding information attached to these minutes.

Purchase nine replacement equipment units identified in 2009-2010 Fleet Plan – presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Tesco South Incorporated d/b/a Hector Turf, Deerfield, FL
Glade & Grove Supply Co., Inc. of Belle Glade & Pahokee,
Belle Glade, FL

Amount: \$145,617.00

Bids Solicited/Rec'd: 252/5

Exhibit: Commission Agenda Report 10-1223

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

**403-10605 – Sludge Dewatering Polymer –
Lohmeyer Wastewater Treatment Plant****(PUR-07)**

Please see funding information attached to these minutes.

One-year contract to purchase sludge dewatering polymer for Lohmeyer Wastewater Treatment Plant is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Polydyne Inc.

Riceboro, GA
Amount: \$297,500.00 (not to exceed)
Bids Solicited/Rec'd: 350/2
Exhibit: Commission Agenda Report 10-1177

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

City P-Card Program – Visa Commercial Card

(PUR-08)

Please see funding information attached to these minutes.

Agreement and addendum with Sun Trust Bank in substantially the form presented, to provide commercial card program (P-card) is being presented for approval by Procurement Services Department.

Recommend: Motion to approve.
Vendor: Sun Trust Bank
 Atlanta, GA
Amount: \$28,294.79 (estimated annual rebate revenue)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 10-1228

The Procurement Services Department has reviewed this item and recommends approval of SunTrust P-card Agreement based on the City of Ocoee competitive solicitation.

Server, Laptop Computers and Software

(PUR-09)

Please see funding information attached to these minutes.

Purchase computer server, laptop computers and related software is being presented for approval by Police Department.

Recommend: Motion to approve.
Vendor: Dell Marketing Corporation
 Round Rock, TX
Amount: \$30,428.50
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 10-1187

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

City-Wide High-Speed Wireless Data Services**(PUR-10)**

Please see funding information attached to these minutes.

Purchase city-wide high-speed wireless data services is being presented for approval by Information Technology Services Department.

Recommend: Motion to approve.

Vendor: Verizon Wireless Personal Communications LP
Basking Ridge, NJ

Amount: \$193,888.46 (not to exceed)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-1214

The Procurement Services Department has reviewed this item and agrees with awarding from the State of Florida Data contract.

The following items were removed from the Consent Agenda:

Motion made by Commissioner Roberts and seconded by Commissioner Rodstrom that Consent Agenda Items M-17, M-18, M-19, CR-02, CR-08, and PUR-04 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Undergrounding Utility Lines – SE 2 Street - \$81,396**(M-17)****Agreement – Florida Power and Light Company**

In response to Vice Mayor Rogers, Albert Carbon, Public Works Director, confirmed that this project serves aesthetic purposes and went on to provide some history on the project and funding source being partially from the Downtown Development Authority (DDA). Commissioner DuBose questioned the total cost. Mr. Carbon offered to follow up with that information. Vice Mayor Rogers and Commissioner DuBose questioned if the project is necessary at this time and its timing. Mr. Carbon explained that finalizing the agreement has taken some time. This project was part of the City's original agreement with the DDA and is a DDA priority. He was uncertain if not completing the project would constitute a breach of agreement.

Motion made by Commissioner DuBose and seconded by Commissioner Rodstrom to defer the item to September 21, 2010. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Rodstrom, Commissioner DuBose, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Contract Award – West Construction, Inc. - \$2,739,000
Southside School Restoration – Interior Work**(M-18)**

Albert Carbon, Director of Public Works, responded to Commissioner Rodstrom's question about the total number of change orders since the project's inception and indicated he does not know the total dollar amount of the change orders. In response to Commissioner DuBose, Mr. Carbon offered to provide a project breakdown. Mayor Seiler elaborated upon the various types of funding used for this project. In further response to Commissioner Rodstrom, Mr. Carbon advised that Frank Snedaker, Public Works, has overseen this project. He went on to review funding sources for land purchase, design and construction, including cost history from March, 2004; July, 2007, 2008 and 2009 requested by the City Auditor which is attached to these minutes. In response to Commissioner DuBose, Mr. Carbon confirmed that \$188,287 of City funds for land purchase was derived from the general fund. In further response to Commissioner Rodstrom, he verified that match funds were not required for the state and county funds. In response to Vice Mayor Rogers, he confirmed that the noted funds are for the entire project that includes the building and the park. The City's portion is the \$6.7 million and \$188,000 from the general fund. The \$2.7 million requested in this item is part of the total \$6.7 million. In response to Mayor Seiler, Mr. Carbon noted by March of 2004, the property had already been purchased, but at that time the total project cost estimated at \$6.7 million and in 2009, it was estimated at \$7.8 million or a difference of \$1.1 million. This evening's item was estimated at \$3 million and the proposed contract is \$2.7 million. Discussion ensued regarding increases and components of the project scope. Vice Mayor Rogers requested and Mayor Seiler asked that the Commission be provided a copy of the funding detail quoted by Mr. Carbon. Mayor Seiler also asked if any previous backup documentation addressed operational costs. In further response to Commissioner Rodstrom, Mr. Carbon indicated the big increase occurred in 2007 when the scope was fully realized.

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

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

In response to Vice Mayor Rogers, Robert Stried, War Memorial Auditorium Manager, noted this is a first-time event. He indicated that approximately 15,000 attendees are expected, with an average ticket price of approximately \$20 for a total of \$300,000. There will be additional funds in parking and concessions. He elaborated upon the projected costs and revenues. He felt the event will exceed the projected profit.

In response to Commissioner Roberts, Cate McCaffrey, Director of Business Enterprises, explained that the contract language regarding liability is being changed to be in accord with state law. The changes are not yet complete, but are in substantially the form provided with the commission agenda report. Language on security will be added. Commissioner Roberts thought the motion should reflect that Commission approval is pending approval of the City Attorney. The City Attorney expressed uncertainty whether AEG will agree to the revisions. The significant issue is

responsibility for actions of the patrons. If AEG does not accept the revised contract language, it will be brought back. In response to Mayor Seiler, Ms. McCaffrey confirmed that the contract draft in the backup was drawn by the City. The City Attorney explained that the item could be approved; there could be some minor adjustments, but they will not create additional liability.

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

Grant Application – North Side New River Seawall Replacement - \$500,000 (CR-02) Broward Boating Improvement Program

In response to Commissioner DuBose, Cate McCaffrey, Director of Business Enterprises, clarified that this grant is to replace 900 linear feet of damaged seawall, rather than the total 1,700 linear feet. With this grant and match totaling \$1 million, the City would use that \$1 million to seek another \$1 million FIND (Florida Inland Navigation District) grant. The total project is estimated at approximately \$3.5 million. Andrew Cuba, Marine Facilities Manager, noted the estimated cost per linear foot is \$175 to \$210 based upon the recent Performing Arts Center Authority seawall project. He explained that 900 linear feet represents approximately 55 percent of the 1,700 total linear feet. Commissioner DuBose noted and Mr. Cuba conceded there is an error in the backup, indicating 55 percent of the total project cost. Ms. McCaffrey clarified that there is \$500,000 in the capital improvement program and this is a match for the \$500,000 grant.

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

Sidewalk Repairs

(CR-08)

In response to Commissioner DuBose, Albert Carbon, Public Works Director, explained that there is a provision for property owners suffering financial hardship to pay over time; the charge is included on the water bill over a ten-year period. Commission direction would be sought as to whether the City would incur the cost or delay the improvements. Property owners are required to reply within sixty days. Commissioner DuBose thought there should be an administrative avenue in place. Mr. Carbon offered to review the ordinance to develop an alternate appeal process.

In response to Vice Mayor Rogers, Mr. Carbon noted that there has been little response from property owners; the second phase is being entered. In response to Commissioner Rodstrom, he indicated the City would repair any damages their crew damaged. The City has not made any repairs without Commission direction. In response to Commissioner DuBose, he advised that the property owner is responsible for all costs.

Commissioner Rodstrom agreed with Commissioner DuBose concerning an appeal process.

In response to Commissioner DuBose, Vice Mayor Rogers and Mr. Carbon provided some historical insight regarding the Commission's prior decisions, staff action and that there has been very little response from notified property owners. Mr. Carbon anticipated staff seeking approval on a quarterly basis to send letters to property owners; however, there is a significant back-log.

In response to Commissioner Rodstrom, Mr. Carbon indicated there was no Commission direction or approval to pursue facilitation of owners using sweat equity to cover repair costs. He recalled liability issues.

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

505-10531 – Parking Lot Clean-Up Services

(PUR-04)

Robert Walsh, 401 East Las Olas Boulevard, suggested community service by people on work of this nature which would cut expenses. Mayor Seiler agreed, however, this covers extensive clean-up when City crews are unavailable. Mr. Walsh suggested using overtime. Kirk Buffington, Director of Procurement Services, confirmed that it is less costly to use the contractor than to pay overtime. These contract services were increased because, in part, the parks and recreation department has had to decrease their role. He noted that over 135 positions have been eliminated over the last two years.

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

MOTIONS

**Proprietary – Parts and Labor – Repair Freight Elevator
Lohmeyer Wastewater Treatment Plant**

(MD-01)

Please see funding information attached to these minutes.

Purchase parts and labor to repair freight elevator at Lohmeyer Wastewater Treatment Plant is being presented for approval by Public Works Department.

Recommend:	Motion to approve.
Vendor:	Eastern Elevator Service Inc. Davie, FL
Amount:	\$6,744.00
Bids Solicited/Rec'd:	N/A

Exhibit: Commission Agenda Report 10-1163

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

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

Proprietary – E-Procurement Software Subscription and Support Services (MD-02)

Please see funding information attached to these minutes.

One-year contract for e-procurement software subscription and support services in substantially form provided is being presented for approval by Procurement Services Department.

Recommend: Motion to approve.

Vendor: RFP Depot, LLC d/b/a BidSync
American Fork, UT

Amount: \$20,000.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-1043

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

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

Proprietary Purchase – Cinema by the Sea Production (MD-03)

Please see funding information attached to these minutes.

A motion authorizing the proper City Officials to execute a performance agreement with Broward County Film Society, Inc. – production of Cinema By The Sea, to be held on Saturdays from October 23, 2010 through November 27, 2010, 6:30 PM – 9 PM, on the beach just south of Las Olas Boulevard.

Recommend: Motion to approve.

Vendor: Broward County Film Society, Inc.
Fort Lauderdale, FL

Amount: \$24,000.00 (not to exceed)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-1185

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

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

Proprietary – Public Safety Systems (MD-04)
Annual Maintenance Renewal – Back Office Infrastructure

Please see funding information attached to these minutes.

Renewal of public safety systems annual maintenance contracts, contingent upon approval and appropriation of 2010-2011 fiscal year budget – back office infrastructure maintenance – presented by Police Department.

Recommend: Motion to approve.

Vendor: Various – See Background Detail
Amount: \$211,436.27
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 10-1189

The Procurement Services Department and Police Departments recommend approving the renewal of the annual public safety proprietary maintenance systems.

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

Proprietary – Public Safety Systems Annual Maintenance Renewal (MD-05)
911 and GPS Systems and Mobile Data Computing

Please see funding information attached to these minutes.

Renewal of public safety systems annual maintenance contracts, in substantially the form attached, subject to City Attorney's approval and approval and appropriation of 2010-2011 budget – 911 and GPS systems and mobile data computing – presented for approval by Police Department.

Recommend: Motion to approve.

Vendor: Intergraph Corporation – CAD Systems, Madison, AL
 Motorola, Inc., Schaumburg, IL
 TriTech Emergency Medical Systems Inc., Decorah, IA

Amount: \$389,897.24
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 10-1196

The Procurement Services Department and Police Departments recommend approving the renewal of the annual public safety proprietary maintenance contracts.

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

Appeal – Historic Preservation Board – Case 2-H-10 (MD-06)
Demolition – Sailboat Bend Historic District – 201 SW 11 Avenue

No budgetary impact.

Applicant: PHD Development, LLC
Location: 201 SW 11 Avenue
Zoning: Residential Multifamily Mid Rise/Medium High Density RMM-25

Appeal of Historic Preservation Board decision to deny certificate of appropriateness for demolition of a single family home.

Recommend: 1) Motion upholding Historic Preservation Board decision
OR 2) motion to hold de novo hearing immediately, OR 3) introduce resolution setting de novo hearing within sixty days.

Exhibit: Commission Agenda Report 10-1205

This item was removed from the agenda upon the request of the applicant.

RESOLUTIONS

Vacate Utility Easement – Reliance-Progresso Associates, Ltd. (R-01)
619 North Andrews Avenue – Case 2-M-10

No budgetary impact.

Applicant: Reliance-Progresso Associates, Ltd.
Location: 619 North Andrews Avenue

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 10-243

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN RIGHT OF WAY, UTILITIES AND PUBLIC PURPOSE EASEMENT BEING THE WEST 18.00 FEET OF THE EAST 33.00 FEET OF LOTS 2 AND 3, "AUSHERMAN'S SUBDIVISION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 4 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE WEST SIDE OF NORTH ANDREWS AVENUE, BETWEEN NORTHEAST 6 STREET AND THE F.E.C. RAILROAD, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

Planning and Zoning Fee Schedule

(R-02)

No budgetary impact.

Vice Mayor Rogers recalled a prior discussion about including a provision for an automatic cost of living multiplier. Valerie Bohlander, Director of Building Services, explained that the multiplier was discussed for permit fees. There was consensus to add such a provision.

RESOLUTION NO. 10-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REPEALING RESOLUTION NO. 97-111 WHICH ADOPTED THE UNIFIED LAND DEVELOPMENT REGULATIONS FEE SCHEDULE AND ADOPTING A NEW PLANNING AND ZONING FEE SCHEDULE.

Motion made by Vice Mayor Rogers and seconded by Commissioner Roberts to defer the item to September 21, 2010. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

Waterways Cleaning Subcommittee
Subcommittee of Marine Advisory Board

(R-03)

Please see funding information attached to these minutes.

In response to Commissioner DuBose, Cate McCaffrey, Director of Business Enterprises, explained that the subcommittee's expense is related to minutes

preparation which will be paid from the sanitation fund and the purpose of the subcommittee. She noted the City Attorney's office determined the necessity for a subcommittee where there must be public notice and minutes. Mayor Seiler recalled the Commission suggesting the Marine Advisory Board handle this. Ms. McCaffrey explained the problem was that the board only meets once a month and the thought was for weekly meetings. In response to Vice Mayor Rogers, the City Attorney explained board members could not participate from the standpoint of each offering their own opinion unless there is a meeting, minutes taken and additional staff (time). Vice Mayor Rogers pointed out that this is for a single purpose. He understood that the board wants to participate because they have a concern about the task and expertise to help. Ms. McCaffrey confirmed for Vice Mayor Rogers that the transcription costs are estimated at \$2,500.

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 10-244

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING A SUBCOMMITTEE OF THE MARINE ADVISORY BOARD TO BE KNOWN AS THE WATERWAYS CLEANING SUBCOMMITTEE; PROVIDING FOR MEMBERSHIP QUALIFICATIONS, NUMBER OF SUBCOMMITTEE MEMBERS AND SUBCOMMITTEE TERM; FURTHER PROVIDING FOR PURPOSE AND DUTIES OF THE SUBCOMMITTEE.

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

Board and Committee Appointments

(R-04)

No budgetary impact.

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

Affordable Housing Advisory Committee	Amanda Spangler (Consensus)
Centennial Celebration Committee	Stephanie Jean (Commissioner DuBose)
Citizens Sustainability Green Committee	Jon Albee (Mayor Seiler) Anthony Abbate (Vice Mayor Rogers) Donna Guthrie (Commissioner DuBose)
Community Appearance Board	Cara Christine Pavalock (Mayor Seiler)

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 10-245

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

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

Five-Year Capital Improvement Program Plan 2011-2015**(R-05)****No current year budgetary impact.**

In response to Vice Mayor Rogers, Albert Carbon, Public Works Director, explained that this plan is brought forward once a year, but can be amended at any time. Vice Mayor Rogers questioned whether it is possible to reference the date in which an item was (first) included in the capital improvement program plan (CIP). Mr. Carbon explained that only three pre-2006 projects are in the CIP. Vice Mayor Rogers requested a copy of the CIP projects according to date they were first proposed. Commissioner Roberts expressed his desire for the City to be in position to receive federal funding for major shovel ready projects, especially those relating to infrastructure and/or redevelopment of the public realm. Infrastructure improvements are less costly at this time. He felt there should be more flexibility in terms of funding and economic development. Vice Mayor Rogers agreed. Commissioner Roberts drew attention to the idea of leveraging monies in the Beach CRA for improvements and consequently it would be appropriate to have those projects reflected in the CIP. Mayor Seiler suggested this item be addressed at a conference meeting.

In response to Commissioner Rodstrom, Albert Carbon, Public Works Director, confirmed that engineering drawings and participation in the red valve pilot program for Riviera Isles is not included in the CIP, but this topic this will be brought forward on September 21, 2010. In response to Commissioner Rodstrom, Phil Thornburg, Parks and Recreation Director, offered to provide funding information concerning South Middle River Park. Mr. Carbon clarified that it is proposed for 2011-2012 but a decision would have to be made based upon availability of funding at that time.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 10-246

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, 2010 AND ENDING SEPTEMBER 30, 2011, UPON ADOPTION OF THE 2010/2011 BUDGET, BY APPROPRIATING FUNDS AS SET FORTH IN EXHIBIT "A" AND ADOPTING THE FIVE-

YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) PLAN,
AS AMENDED FOR 2011-2015.

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

CITIZEN PRESENTATIONS

Dennis Ulmer – Remembering September 11, 2001**(CIT-01)**

Mr. Ulmer recognized Patriot Day and noted the upcoming ninth anniversary of September 11, 2001. He announced a local remembrance ceremony at the Fort Lauderdale Fire and Safety Museum and a service ceremony at Stranahan Park. He believes the September 11th victims are heroes and should be honored.

Burnadette Norris-Weeks – New River Condominium - Affordable Housing Proposal**(CIT-02)**

Ms. Norris-Weeks, representing River Gardens Sweeting Estates Homeowners Association, provided some history on New River Condominium's code violations. She noted staff's recommendation for demolition and the ensuing delays. She submitted a petition of 73 signatures in support of the New River Condominium being demolished which was entered into the record. There is already an overabundance of affordable housing in this area. Their goal is to achieve a neighborhood with diverse income levels. She noted that local police officers refer to the New River Condominium site as "the hole" because of the ease it provides criminals to evade law officers. There are concerns regarding safety and aesthetics. She noted an unflattering article about the New River Condominium in the Sun Sentinel on August 16, 2009.

Lucy Harty, 417 NW 23 Avenue, indicated that she moved into the area because the neighborhood showed promise and it is located on the New River. She stressed her dissatisfaction with the site's aesthetics. She believed that even a total rehabilitation of this property will only produce ordinary buildings. She expressed her support for demolition.

Gerri Washington, resident of River Gardens Sweeting Estates, expressed her support for demolition. She hoped the next development will better correlate with the appealing riverfront setting.

Dianne Shuler, 401 NW 23 Avenue, expressed her support for demolition and an aesthetically pleasing new development. She hoped the same mistakes of previous rehabilitation efforts would not be repeated.

Sharon Woods, 409 NW 23 Avenue, agreed with the previous speakers' comments.

Mayor Seiler noted that Commissioner DuBose is taking the lead on this matter therefore all communications should be channeled through him with copies to the Commission.

He thought the goal would be to keep the property on the tax roll as privately owned. Ms. Norris-Weeks emphasized the neighborhood's overwhelming support for demolition.

Renee T. Rung – Allowing 3-5 Chickens on a Residential Property (CIT-03)

Ms. Rung requested a code amendment to allow residents to keep a small number of hens only on their property. She contended that a number of cities allow individuals to keep a few hens on private property. She mentioned Portland, Chicago, Seattle, Minneapolis, Atlanta, Las Vegas, Miami, Los Angeles and New York. In light of the green movement, more people in urban areas would like to have this right. She expanded upon the pros and cons for this issue. Mayor Seiler requested Mike Maloney, Community Inspections Director, to provide a summary of what other cities have done regarding this issue. Ms. Rung claimed that many cities in South Florida are debating this issue. Mr. Maloney believed the reason for the ordinance is the potential for noise and unsanitary conditions. The City receives some complaints about chickens running loose perhaps five or six times a year. Ms. Rung noted there are people with chickens now and she felt regulations would give the public parameters on proper upkeep. Mayor Seiler asked Ms. Rung to e-mail the information on this topic to the Commission. The City Auditor noted a recent court ruling for a Hollywood case.

Virgil Niederriter – Swales (CIT-04)

Mr. Niederriter, president of Riverland Civic Association, stressed that rock must be removed from the neighborhood's swales. Mayor Seiler noted that a number of Riverland residents requested rock material. Mr. Niederriter contended that the association desires grass because there is a flooding problem. Commissioner DuBose pointed out that flooding is citywide. The City's stormwater master plan is being developed. He anticipated having a review of it at the next community meeting in the southwest. Mr. Niederriter claimed the rock must be removed to allow percolation. Many residents are using the swales for parking which causes compaction and no percolation. Mayor Seiler recalled that all area residents were given their desired swale material and now the association is asking for something different. In response to Mayor Seiler, Mr. Niederriter indicated that the homeowners association represents a small percentage of the neighborhood which is the case with all associations. Mayor Seiler emphasized that a small percentage cannot impose a swale surface on the entire neighborhood. Albert Carbon, Public Works Director, noted that the flooding is not directly associated with a tidal influence; there is no place for the water to drain. Less impervious swale material will allow more percolation; but he was uncertain how much impact it would have on the entire neighborhood. He commented on staff's efforts in contacting each residence to determine their preference. Those residents that wanted grass swales were accommodated. He was uncertain of the percentage changed to grass. Commissioner DuBose pointed out that some of the grass swales are now rock again because they were not maintained. He reiterated his belief that flooding would still be an issue, even if all of the swales were converted to grass. Mr. Niederriter requested an ordinance to prevent individuals from parking on the swales. Commissioner DuBose explained that the majority of the neighborhood is not in favor of an ordinance. He reiterated that staff could provide an update on the stormwater master plan. Mr. Carbon outlined the chronology with respect to the stormwater master plan's progress. It will come back to the Commission in November/December with an analysis on cost at varying service

levels. He offered to present information at the District III meeting in October. Mr. Niederriter thought the entire city is desirous of an ordinance change. Mayor Seiler did not think it would be supported by citizens in general. The City Attorney noted such an ordinance would require residents to maintain the area and prohibit parking on it. Mr. Carbon explained that the stormwater master plan will present the cost to increase the level of service for drainage.

PUBLIC HEARINGS

Rezoning to Residential Low-Rise Multifamily – Medium Density - (PH-06)
Case 2-Z-10 City of Fort Lauderdale – 1305-1335 NW 9 Street

No budgetary impact.

Applicant: City of Fort Lauderdale
Location: 1305-1335 NW 9 Street
Current Zoning: Parks, Recreation and Open Space P
Proposed Zoning: Residential Low-Rise Multifamily/Medium Density RM-15
Future Land Use: Medium Residential

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

ORDINANCE NO. C-10-

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM PARKS, RECREATION AND OPEN SPACE TO RM-15, PARCEL "A", "SUNNYLAND HOMES NO. 2", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 49, PAGE 37, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED AT THE NORTHWEST CORNER OF NORTHWEST 13TH AVENUE AND NORTHWEST 9TH STREET, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Motion made by Commissioner DuBose and seconded by Commissioner Roberts to defer this item to November 2, 2010. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

**Amendment to 2009-2010 Annual Action Plan and
 2005-2010 Consolidated Plan
CDBG-R and CDBG Grant Programs**

(PH-07)

Please see funding information attached to these minutes.

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

Jonathan Brown, Housing and Community Development Manager, explained that \$10,000 is being returned to the Neighborhood Capital Improvement Program (NCIP) and the remaining funds (\$85,300) is being returned to the category of Financial Assistance to Small Businesses. Three agencies were previously awarded by the Commission. He explained how CDBG eligible NCIP projects are evaluated.

In response to Commissioner DuBose, Mr. Brown explained these monies were not put into a service category because they would have to be spent by the end of the fiscal year.

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

**Relief from Zoning Requirements for Public Purpose Use
Sailboat Bend Preserve – Parking Requirements – Case 24-R-10****(PH-08)**

No budgetary impact.

Applicant: City of Fort Lauderdale
Location: 1401 SW 2 Court
Zoning: Parks, Recreation and Open Space P

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

Mayor Seiler opened the floor for public comment.

Dave Parker, presidents of Sailboat Bend Civic Association, indicated the neighborhood's strong support in this item and complimented staff for their cooperation. The neighborhood would like the park to be passive.

Ruth Clarke, 1504 Argyle Drive, chair of Sailboat Bend Parks and Recreation Committee, expressed support in this item.

Marc Dickerman, 1417 SW 2 Street, expressed support of this item.

Margi Nothard, 215 SW 14 Way, member of Sailboat Bend Parks and Recreation Committee, thanked the City for creating the park and expressed support of it.

There being no other 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: Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: None.

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

Vice Mayor Rogers introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-24

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING IMPROVEMENTS TO A PUBLIC PARK THAT DO NOT MEET THE PARKING AND LOADING REQUIREMENTS IN A PARKS, RECREATION AND OPEN SPACE ZONING DISTRICT AS PROVIDED IN THE UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR"), WHICH SITE IS MORE FULLY DESCRIBED AS LOTS 1 THROUGH 10, BLOCK 4 AND LOTS 1 THROUGH 7, BLOCK 3, "RIVER HIGHLANDS", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; TOGETHER WITH PORTIONS OF THE ADJOINING VACATED RIGHTS OF WAY OF SOUTHWEST 2ND COURT AND SOUTHWEST 14TH WAY, LOCATED WEST OF SOUTHWEST 14TH AVENUE AT THE ARGYL CANAL; AND GRANTING RELIEF FROM THE ULDR REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE ULDR OF THE CITY OF FORT LAUDERDALE, FLORIDA.

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

**Relief from Zoning Requirements for Public Purpose Use
Harbordale Park – 1817 South Miami Road – Case 43-R-10**

(PH-09)

No budgetary impact.

Applicant: City of Fort Lauderdale
Location: 1817 South Miami Road
Zoning: Parks, Recreation and Open Space P

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

Vice Mayor Rogers introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-25

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PARK AS A PUBLIC PURPOSE USE THAT DOES NOT MEET THE BUFFERYARD AND PARKING AND LOADING ZONE REQUIREMENTS IN A "P" ZONING DISTRICT AS PROVIDED IN THE UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR"), WHICH PROPERTY IS MORE FULLY DESCRIBED AS LOTS 3 THROUGH 6, BLOCK 19, "EVERGLADE LAND SALES COMPANY'S FIRST ADDITION TO LAUDERDALE, FLORIDA", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 15, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LOCATED ON THE WEST SIDE OF MIAMI ROAD, BETWEEN SOUTHEAST 18 COURT AND SOUTHEAST 18 STREET; AND GRANTING RELIEF FROM THE ULDR REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE ULDR OF THE CITY OF FORT LAUDERDALE, FLORIDA.

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

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

Relief from Parking and Wall Requirements for Public Purpose Use (PH-10)
Dolphin Isles Park – Case 47-R-10

No budgetary impact.

Applicant: City of Fort Lauderdale

Location: 2125 NE 33 Avenue

Zoning: Residential Single Family – Duplex – Low Medium Density RD-15

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

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

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-26

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PARK AS A PUBLIC PURPOSE USE THAT DOES NOT MEET THE PARKING AND BUFFERYARD WALL REQUIREMENTS IN AN RD-15 ZONING DISTRICT AS PROVIDED IN THE UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR"), WHICH SITE IS MORE FULLY DESCRIBED AS LOT 6, BLOCK 10, "LAUDERDALE BEACH EXTENSION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 27, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE WEST SIDE OF NORTHEAST 33 AVENUE BETWEEN NORTHEAST 21 STREET AND NORTHEAST 23 STREET; AND GRANTING RELIEF FROM THE ULDR REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE ULDR OF THE CITY OF FORT LAUDERDALE, FLORIDA.

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

**Comprehensive Plan – Land Use Plan Map Amendment – Case 5-T-10 (PH-11)
60 Acre Site East of Executive Airport –
Changing Designation to Transportation**

No budgetary impact.

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

Mayor Seiler announced that any citizen wishing to receive a personal notice from the Florida Department of Community Affairs of the state's intentions with respect to this amendment may provide their contact information with the Assistant City Clerk. He opened the floor for public comment.

John Barrett, president of Twin Lakes North Homeowners Association, advised that the residents of Twin Lakes North have just become aware of the proposed water park and, or amusement park and are opposed to it. They have become accustomed to the occasional noise from the stadium and Calvary Chapel, but believed this park would increase traffic, noise and homeless pan-handling would be intolerable. They believe that neighborhood streets will become unsafe. They are also concerned about emergency vehicle response time being impacted. He noted that the president of Palm Aire East could not attend this evening, but indicated to him that many residents in Palm Aire East are also opposed. The neighborhood is concerned about impact to home values and quality of life.

Jordana Jarjura, representing Schlitterbahn Development Group, offered to answer any questions. She noted there are many steps in the process and Schlitterbahn has not yet began to meet with residents, City staff and prepare a traffic study.

In response to Commissioner Roberts, Cate McCaffrey, Director of Business Enterprises, confirmed the zoning and land use changes are required by the Federal Aviation Administration (FAA) in order to be in accord with an aviation use. Commissioner Roberts pointed out that no final decision has been made as to use. Commissioner Rodstrom noted there will be a public comment opportunity before a use is decided upon.

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

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-27

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE 2008 FORT LAUDERDALE COMPREHENSIVE PLAN FUTURE LAND USE MAP TO CHANGE THE LAND USE DESIGNATION FROM "PARK/OPEN SPACE" LAND USE TO "TRANSPORTATION" LAND USE, FOR A PORTION OF TRACT 1 "F-X-E PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 119, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING BETWEEN NORTHWEST 12 AVENUE AND NORTHWEST 15 AVENUE, SOUTH OF RUNWAY 8/26 AND NORTHEAST OF RUNWAY 13/31 OF FORT LAUDERDALE EXECUTIVE AIRPORT; AUTHORIZING THE PROPER CITY OFFICIALS TO TRANSMIT THE PROPOSED AMENDMENT TO THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND REQUESTING THE BROWARD COUNTY PLANNING COUNCIL RECERTIFY THE AMENDMENT.

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

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 10-247

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE TRANSMITTAL OF AN AMENDMENT TO THE CITY OF FORT LAUDERDALE FUTURE LAND USE MAP TO THE BROWARD COUNTY PLANNING COUNCIL AND REQUESTING THE AMENDMENT OF THE BROWARD COUNTY LAND USE PLAN TO CHANGE THE LAND USE DESIGNATION OF CERTAIN LANDS FROM PARK/OPEN SPACE LAND USE TO TRANSPORTATION LAND USE.

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

Comprehensive Plan – Land Use Plan Map and Text Amendments – (PH-12)
Case 7-T-10 - 4.3 Acre Site East of Executive Airport - Transportation

No budgetary impact.

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

Mayor Seiler announced that any citizen wishing to receive a personal notice from the Florida Department of Community Affairs of the state's intentions with respect to this amendment may provide their contact information with the Assistant City Clerk. He opened the floor for public comment.

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

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

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-28

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE 2008 FORT LAUDERDALE COMPREHENSIVE PLAN FUTURE LAND USE MAP TO CHANGE THE LAND USE DESIGNATION FROM "EMPLOYMENT CENTER" TO "TRANSPORTATION" FOR A PORTION OF TRACT 1 "F-X-E PLAT" ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 119, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING AT THE NORTHWEST INTERSECTION OF NORTHWEST 12 AVENUE AND WEST COMMERCIAL BOULEVARD AND LYING SOUTHEAST OF THE RUNWAY PROTECTION ZONE (RPZ) OF RUNWAY 13/31 OF FORT LAUDERDALE EXECUTIVE AIRPORT; AUTHORIZING THE PROPER CITY OFFICIALS TO TRANSMIT THE PROPOSED AMENDMENT TO THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND REQUESTING THE BROWARD COUNTY PLANNING COUNCIL RECERTIFY THE AMENDMENT.

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

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 10-248

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE TRANSMITTAL OF AN AMENDMENT TO THE CITY OF FORT LAUDERDALE FUTURE LAND USE MAP TO THE BROWARD COUNTY PLANNING COUNCIL AND REQUESTING THE AMENDMENT OF THE BROWARD COUNTY LAND USE PLAN TO CHANGE THE LAND USE DESIGNATION OF CERTAIN LANDS FROM EMPLOYMENT CENTER TO TRANSPORTATION.

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

Vice Mayor Rogers introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-29

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE 2008 FORT LAUDERDALE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO ADD THE USES PERMITTED IN A COMMERCIAL RECREATION LAND USE CATEGORY TO THE PERMITTED LAND USES IN A TRANSPORTATION LAND USE CATEGORY AND REQUESTING THE BROWARD COUNTY PLANNING COUNCIL RECERTIFY THE AMENDMENT.

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

Commissioner DuBose inquired about any implications with the proposed Constitutional Amendment 4. Jim Koeth, Planning and Zoning, confirmed there will be adequate time for submittal to the Broward County Planning Council, submitting in the October cycle.

**Withdrawal of City Charter Amendment from November 2, 2010 (OB)
General Election Ballot – Change Date to March 13, 2012 Municipal Election**

The City Clerk did not believe there would be a significant change in the cost charged by the Broward County Supervisor of Elections if this question is added to the March, 2012 ballot, but she has requested a confirmation from the supervisor. In response to Mayor Seiler, the City Clerk advised by removing the question from the November ballot will result in a savings of approximately \$39,000. The City will only incur translation costs of \$30.25.

Commissioner Roberts introduced the following resolution.

RESOLUTION NO. 10-235

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA TO DIRECT THE SUPERVISOR OF ELECTIONS TO WITHDRAW THE CITY CHARTER AMENDMENT FROM THE NOVEMBER 2, 2010 GENERAL ELECTION BALLOT AND AMENDING RESOLUTION NO. 10-158 TO CHANGE THE DATE TO PLACE A PROPOSED CHARTER AMENDMENT ON THE BALLOT TO THE MARCH 13, 2012 MUNICIPAL ELECTION.

The City Attorney agreed to Vice Mayor Rogers' suggestion to change the last sentence of the ballot question to specify sale shall be approved by a unanimous vote.

Mayor Seiler clarified that this was not on the Charter Revision Board's original list of priorities. The City can continue to sell surplus city-owned real property for affordable housing and economic development, but there must be a minimum acceptable value in the competitive bidding process.

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

ORDINANCES

**Code Amendment – Chapter 9 – Buildings and Construction
Permits and Inspections**

(O-01)

No budgetary impact.

Commissioner Roberts introduced the following ordinance on FIRST reading:
ORDINANCE NO. C-10-30

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHAPTER 9, BUILDINGS AND CONSTRUCTION, ARTICLE II, PERMITS AND INSPECTIONS, PROVIDING FOR COMPLIANCE WITH CURRENT STATE LAW; AN INCREASE IN COST OF CLEANUP BOND; INCREASES IN AND MODIFICATION TO GENERAL, ELECTRICAL, PLUMBING AND MECHANICAL, LANDSCAPE AND TREE REMOVAL AND SIGN PERMIT FEES; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

In response to Vice Mayor Rogers concerning Section 9-29, Bond for cleanup of adjacent property, Valerie Bohlander, Director of Building Services, clarified the purpose of this section and offered to strengthen the language. Vice Mayor Rogers wanted care to be taken that the permit fee is not so great that it would discourage people from applying for one [Section (3)p]. Some discussion ensued about specific examples. Phil Gonot, representing PMG Associates, indicated that PMG prepared this analysis. In a number of municipalities, their fee is a percentage of construction, ranging in Broward County from 2.8% to 5%. Other jurisdictions have also opted to specify no permit is needed for projects up to a specific dollar amount, such as less than \$1,000. Common practice is a percentage of construction. He did not think any system would prevent some people from trying to move ahead without a permit. He agreed that an excessive amount would encourage people to avoid applying for a permit. In further response to Vice Mayor Rogers, Ms. Bohlander advised that a provision to allow for annual adjustments based on the construction price index will be added prior to second reading. Mr. Gonot responded to Mayor Seiler's question as to why the construction price index is used instead of the consumer price index.

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

Note: The City Commission adjourned the regular meeting at 12:02 a.m. and returned to the conference meeting agenda, item II-A, from 12:02 a.m. to 12:17 a.m.

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John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk