

**FORT LAUDERDALE CITY COMMISSION REGULAR MEETING**  
**DECEMBER 7, 2010**

Agenda Item	Resolution/Ordinance	Page(s)
	<u>Presentations:</u>	
	1. Community Appearance Board – Wow Award – District IV	1
	2. Charles Fazzino Day - December 9, 2010	2
	3. Arbor Day – December 18, 2010	2
	4. Outstanding City Employees	2
OB	100,000 Hour Volunteer Challenge	2
CA	Consent Agenda	2
M-01	Event Agreement – Museum of Art Fort Lauderdale National Art Festival - Closing East Las Olas Boulevard	3
M-02	Event Agreement – Community Fun Festival	3
M-03	Event Agreement – Grav-i-tate on the Lawn	3
M-04	Event Agreement – Rough Water Swim	3
M-05	Contract Award – Boran Craig Barber Engel Construction Co., Inc. - \$2,480.765- Fire Station 35 – 1969 East Commercial Boulevard	4
M-06	Contract Award - Advanced Recreational Concepts, LLC. - \$42,432.37- Shirley Small Park Playground Equipment	4
M-07	Change Order 3 – Valcom Design & Construction, Inc. - \$15,241.59-Police Department Building Hurricane Wind Retrofit – Add 30 Work Days	4
M-08	Change Order 1 – (Final) – Weekley Asphalt Paving, Inc.- Credit (\$172,649.46) Executive Airport – Taxiway Bravo and Taxiway Connectors	5
M-09	Change Order 1 (Final) - Dave Foote Environmental Construction, Inc. Credit (\$211,649.87)-Pump Stations Poinciana Park, Twin Lakes & Melrose Manors	5
M-10	Speed Hump Installation - NW 17 Street – South Middle River	5
M-11	Procurement of Commercial Crime Insurance	5
M-12	Grant Extension – Hazard Mitigation Grant Program - \$1,149,689 Subgrant Agreement Modification - Florida Division of Emergency	6
CR-01	Park Impact Fee Exemption – Progresso Point – 142.500- Reliance-Progresso Associates, LTD.	6
CR-02	Amend Operating Budget – Appropriation - \$6,000- Sponsorship – Suntrust Sunday Jazz Brunch	7
CR-03	Special Counsel – Lewis, Longman & Walker, P.A. – \$15,000 - General Employees Retirement System – Pension Matters	7
CR-04	Street Name Addition – Fort Lauderdale Rotary Way- SE 1 Avenue Between Broward Boulevard and Las Olas Boulevard	8
CR-05	Street Name Addition – Dr. Ernest Johnson Street NW 18 Street Between NW 9 Avenue (Powerline Road) and NW 6 Avenue	8
CR-06	Amend Operating Budget – Appropriation - \$55,525- Neighborhood Capital Improvement Program	8
CR-07	Amend Operating Budget – Appropriation - \$30,000- Transportation System Repair and Maintenance	9
CR-08	Change Order 1 – Intercounty Engineering Inc. – Add 324.5 Calendar Days-Phase II Pump Station Upgrade - \$126.050.83	9
CR-09	Grant Application – Historic Preservation Design Guidelines- \$20,000-Florida Division of Historical Resources	10

CR-10		Fort Lauderdale Strikers	10
PUR-01		805-10510 – Emergency Inspection Services – As needed Basis	10
PUR-02		618-000-11-1 – State of Florida Contract – Office Supplies - \$530,000	11
PUR-03		205-10619 – Reject Bids and Re-Bids – Public Address - Safety Alerting System	11
PUR-04		Electrical Supplies - \$100,000	12
PUR-05		413-10569 – Water Meters - \$732,620.35	12
PUR-06		402-10494 – Integrated Access Control and Video System - \$92,888.36- Peele Dixie Water Treatment Plant	12
PUR-07		602-10530 – Water, Mold and Indoor Air Quality Remediation Services - \$113,681- Central Maintenance Shop Building	13
MD-01		Proprietary – Criminal History Record Checks - \$30,000- Florida Department of Law Enforcement	13
MD-02		Proprietary – Grit, Rags, And Trash Disposal - \$97,377- Wastewater Treatment Facilities	14
MD-03		Water Environment Research Foundation Subscription – \$10,557	14
MD-04		Proprietary – Motorola Radio System Support - \$389,532 800 MHz Safety Radio Communications System	15
MD-05		Centennial Photo Montage Project - \$23,000	15
MD-06		Appeal – Historic Preservation Board – Case 2-H-10 Demolition – Sailboat Bend Historic District 201 SW 11 Avenue	16
MD-07		City Commission Request For Review – New Construction - 1216 SW 4 Court Historic Preservation Board – Certificate Of Appropriateness – Case 8-H-10 Resolutions	17
R-01	10-	Site Plan Level IV – Surface Parking Facility – Case 71-R-10 Broward County Courthouse Redevelopment	20
R-02	10-	Disposition of City Owned Property – 2030 NW 14 Avenue - \$1,700	20
R-03	10-	Solid Waste Disposal Services Interlocal Agreement - Broward County – Resource Recovery System	20
R-04	10-	Board And Committee Appointments	23
CIT-01	10-	Ashok Patel	24
CIT-02	10-	Art Seitz	25
PH-01	10-	Rezoning To Residential Low-Rise Multifamily – Medium Density – Case 2-Z-10 City of Fort Lauderdale – 1305-1335 NW 9 Street	25
PH-02	10-	Dock Waiver Application – Distance of Limitations Michael J. And Lisa G. Rearden – 3010 NE 40 Street	28
PH-03	10-	Dock Waiver Application – Distance of Limitations Jean-Marie Viaud – 1528 Argyle Drive	29
PH-04	10-	Dock Waiver Application – Distance of Limitations Niles R. Lestrangle – 160 North Compass Drive	29
O-01	C-10-	Code Amendment – Police And Firefighters Retirement System Police Overtime, Beneficiary Or Joint Annuitant, Retirement	30
O-02	C-10-	Pilot Program – Sandwich Board and Banner Signs Unified Land Development Regulations – Section 47-22	31
O-03	C-10-	Code Amendment – Section 47-19.3 – Boat Mooring Devices	32
O-04	C-10-	Code Amendment – Section 47-22 – Message Center Signs Devices	33
O-05	C-10-	Code Amendment – Section 2.61 – Five Year Financial Forecast	33
O-06	C-10-	Fort Lauderdale Centennial Celebration Public Purpose Special Event – January 1 – June 30, 2011	34
O-07	C-10-	Code Amendment – Article VII. Chapter 2 – Sustainability Advisory Board	35

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

Meeting was called to order at 6:06 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1<sup>st</sup> 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 C. Love  
                              City Auditor           John Herbst  
                              City Clerk             Jonda K. Joseph  
                              City Attorney         Harry A. Stewart  
                              Sergeant At Arms     Sergeant Mike Sierkierski

Invocation was offered by Chaplain Ron Perkins, Fort Lauderdale Police Department, Seafarers House at Port Everglades, followed by the recitation of the pledge led by Vivien Dempsey and Ali Pazourek.

**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).**

The City Clerk noted a correction to the November 2, 2010, conference meeting minutes on page 11, City Commission Reports, replacing the names John Winn and Lawanna Gattton with Coleman Cordell and Dara Smith.

**Motion** made by Vice Mayor Rogers and seconded by Commissioner DuBose to approve the minutes of the October 19, 2010 and November 2, 2010 Conference Meetings, October 27, 2010 Joint Workshop with Budget Advisory Board and November 2, 2010 Regular Meeting. Roll call showed: YEAS: Commissioner DuBose, Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

**Presentations**

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

Vice Mayor Rogers recognized Jonna and Brett Circe who reside in River Oaks as the recipients of the WOW Award for District IV. Mr. Circe thanked the Commission.

---

**3. Arbor Day – December 18, 2010 (PRES-03)**

Commissioner DuBose presented a proclamation designating December 18, 2010, as Arbor Day in the city to Gene Dempsey, Urban Forestry Supervisor, Parks and Recreation. Mr. Dempsey noted that trees can be planted year-round. He invited the public to volunteer at an upcoming tree-planting event at Snyder Park.

---

**2. Charles Fazzino Day – December 9, 2010 (PRES-02)**

Commissioner Rodstrom presented a proclamation designating December 9, 2010, as Charles Fazzino Day in the city to Mr. Fazzino for his invaluable support of the city's 100<sup>th</sup> Anniversary as the Official Artist of the city's Centennial Celebration. Mr. Fazzino expressed his honor and thanked the Commission. Mayor Seiler thanked him for his work with local high schools.

---

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

Albert Carbon, Public Works Director, recognized Arthur Blackwell, Service Worker IV, for his knowledge and quick thinking in isolating a broken valve; thereby, preventing a major shutdown of a water line. Mayor Seiler thanked Mr. Blackwell for his service.

---

**Event Agreement – Museum of Art Fort Lauderdale  
National Art Festival – Closing East Las Olas Boulevard (M-01)**

**No budgetary impact.**

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

---

**100,000 Hour Volunteer Challenge (OB)**

Genia Ellis, Chair of the Citizens Volunteer Corps (CVC), announced that, in less than one year, the city met and exceeded the 100,000 hour goal with 144,057 volunteer hours. Mayor Seiler thanked Ms. Ellis and Maxine Singh, Commission Assistant Coordinator, for their leadership on this project and the city's residents for their participation.

---

**Consent Agenda (CA)**

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public,

however, that item may be removed from the Consent Agenda and considered separately.

---

**Event Agreement – Museum of Art Fort Lauderdale  
National Art Festival – Closing East Las Olas Boulevard** (M-01)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Nova Southeastern University for Museum of Art Fort Lauderdale National Art Festival, to be held January 29 and 30, 2011, 10 AM – 4 PM, at Huizenga Plaza and closing East Las Olas Boulevard between Andrews Avenue and SE 1 Avenue

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1644

---

**Event Agreement – Community Fun Festival** (M-02)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Whole Life Fellowship Community Development Training Center, Inc., for Community Fun Festival, to be held January 29, 2011, 10 AM – 4 PM, at Middle River Terrace Park.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1721

---

**Event Agreement – Grav-i-tate on the Lawn** (M-03)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with The Las Olas Company, Inc., for Grav-i-tate at the Lawn, to be held December 11, 2010, 8 PM – 12 AM, on the Riverside Hotel Lawn.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1722

---

**Event Agreement – Rough Water Swim** (M-04)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with International Swimming Hall of Fame, Inc., for Rough Water Swim, to be held January 8, 2011, 7:30 AM – 12 Noon, at Fort Lauderdale Beach and International Swimming Hall of Fame property.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1723

---

**Contract Award – Boran Craig Barber Engel Construction Co., Inc. - (M-05)  
\$2,480,765 – Fire Station 35 – 1969 East Commercial Boulevard**

**Please see funding information attached to these minutes.**

A motion authorizing the proper City Officials to award and execute contract with Boran Craig Barber Engel Construction Co., Inc., in the amount of \$2,480,765 – Fire Station 35 - Project 10919 – 1969 East Commercial Boulevard.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1664

---

**Contract Award – Advanced Recreational Concepts, LLC.- (M-06)  
\$42,432.37 – Shirley Small Park Playground Equipment**

**Please see funding information attached to these minutes.**

A motion authorizing the proper City Officials to award and execute contract with Advanced Recreational Concepts, LLC, in the amount of \$42,432.37 – Shirley Small Park – supply and install playground equipment – Project 11558.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1720

---

**Change Order 3- Valcom Design & Construction, Inc.-\$15,241.59 (M-07)  
Police Department Building Hurricane Wind Retrofit – Add 30 Work Days**

**Please see funding information attached to these minutes.**

A motion authorizing the proper City Officials to execute Change Order 3 with VALCOM Design & Construction, Inc., in the amount of \$15,241.59 and the addition of 30 work days to contract period – Police Department Building Hurricane Wind Retrofit – Project 114042.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1730

---

**Change Order 1 (Final) – Weekley Asphalt Paving, Inc. – Credit (\$172,649.46) – Executive Airport – Taxiway Bravo and Taxiway Connectors** (M-08)

**Please see funding information attached to these minutes.**

A motion authorizing the proper City Officials to execute Change Order 1 (FINAL) with Weekley Asphalt Paving, Inc., in the credit amount of (\$172,649.46) – Executive Airport Taxiway Bravo Rehabilitation Taxiway Connector Improvements – Project 11134.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1734

---

**Change Order 1 (Final) – Dave Foote Environmental Construction, Inc. Credit (\$211,649.87) Pump Stations – Poinciana Park, Twin Lakes & Melrose Manors** (M-09)

**Please see funding information attached to these minutes.**

A motion authorizing 1) Change Order 1 (FINAL) with Dave Foote Environmental Construction, Inc., in the net CREDIT amount of (\$211,649.87) – additional work and final reconciliation – Pump Stations – Poinciana Park South, Twin Lakes and Melrose Manors North – Project 11310 and 2) reduce encumbrance by \$211,649.87.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1739

---

**Speed Hump Installation – NW 17 Street – South Middle River** (M-10)

**No budgetary impact.**

A motion authorizing installation of three speed humps on NW 17 Street, between NW 6 Avenue and NW 3 Avenue – South Middle River.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1719

---

**Procurement of Commercial Crime Insurance** (M-11)

**No budgetary impact.**

A motion authorizing procurement of commercial crime insurance through negotiation method.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1714

**Grant Extension – Hazard Mitigation Grant Program - \$1,149,689 - (M-12)**  
**Subgrant Agreement Modification – Florida Division of Emergency**

**No budgetary impact.**

A motion 1) extending Hazard Mitigation Grant Program Subgrant Agreement to June 30, 2011 and 2) authorizing proper City Officials to execute all necessary documents to finalize extension, including corresponding modification – Florida Division of Emergency Management.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1701

<b>CONSENT RESOLUTION</b>
---------------------------

**Park Impact Fee Exemption – Progresso Point - \$142,500 – (CR-01)**  
**Reliance-Progresso Associates, LTD.**

**Please see funding information attached to these minutes.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 10-1732

**RESOLUTION NO. 10-337**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING AN EXEMPTION TO RELIANCE-PROGRESSO ASSOCIATE, LTD. FOR THE PROGRESSO POINT PROJECT FROM A PORTION OF PARK IMPACT FEES UP TO \$142,500 PURSUANT TO SECTION 47-38A.4 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, IDENTIFYING THE FUNDING SOURCE AS COMMUNITY REDEVELOPMENT AGENCY FUNDS FOR THE NORTHWEST-PROGRESSO-FLAGLER HEIGHTS AREA AND 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,  
BY APPROPRIATING SUCH FUNDS AS SET FORTH IN  
THE ATTACHED EXHIBIT.

---

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

**(CR-02)**

**Please see funding information attached to these minutes.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 10-1750

RESOLUTION NO. 10-338

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, BY APPROPRIATING CASH SPONSORSHIP IN THE AMOUNT OF \$6,000.00 FROM ED MORSE BAYVIEW CADILLAC FOR THE 2010/2011 SUNTRUST SUNDAY JAZZ BRUNCH AND APPROPRIATING EXPENSES IN THE AMOUNT OF \$6,000.00 INCLUDING A \$780.00 PAYMENT TO JAN BETH IDELMAN, INC., THE EVENT FUNDRAISER, AS SET FORTH IN THE ATTACHED EXHIBIT.

---

**Special Counsel – Lewis, Longman & Walker, P.A. – 15,000**  
**General Employees Retirement System – Pension Matters**

**(CR-03)**

**Please see funding information attached to these minutes.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 10-1703

RESOLUTION NO. 10-339

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING LEWIS, LONGMAN & WALKER, P.A. TO BE RETAINED AS SPECIAL COUNSEL FOR RETIREMENT AND PENSION MATTERS, AND PRESCRIBING THE COMPENSATION TO BE PAID FOR SUCH LEGAL SERVICES.

---

**Street Name Addition - Fort Lauderdale Rotary Way – SE 1 Avenue (CR-04)  
Between Broward Boulevard and Las Olas Boulevard**

**No budgetary impact.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 10-1716

RESOLUTION NO. 10-340

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADDING THE NAME "FORT LAUDERDALE ROTARY WAY" TO THE SECTION OF SE 1<sup>ST</sup> AVENUE BETWEEN BROWARD BOULEVARD AND LAS OLAS BOULEVARD.

---

**Street Name Addition – Dr. Ernest Johnson Street – NW 18 Street (CR-05)  
Between NW 9 Avenue (Powerline Road) and NW 6 Avenue**

**No budgetary impact.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 10-1715

RESOLUTION NO. 10-341

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADDING THE NAME "DR. ERNEST JOHNSON" TO THE SECTION OF NW 18 STREET BETWEEN POWERLINE ROAD AND NW 6 AVENUE.

---

**Amend Operating Budget – Appropriation - \$55,525 (CR-06)  
Neighborhood Capital Improvement Program**

**Please see funding information attached to these minutes.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 10-1744

RESOLUTION NO. 10-342

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 BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AND PROVIDING FOR AN EFFECTIVE DATE.

---

**Amend Operating Budget – Appropriation - \$30,000  
Transportation System Repair and Maintenance**

**(CR-07)**

**Please see funding information attached to these minutes.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 10-1718

RESOLUTION NO. 10-343

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 BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AND PROVIDING FOR AN EFFECTIVE DATE.

---

**Change Order 1 – Intercounty Engineering, Inc. – Add 324.5  
Calendar Days – Phase II Pump Station Upgrade - \$126,050.83**

**(CR-08)**

**Please see funding information attached to these minutes.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 10-1575

RESOLUTION NO. 10-344

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, 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.

---

**Grant Application – Historic Preservation Design Guidelines - \$20,000 (CR-09)**  
**Florida Division of Historical Resources**

**Please see funding information attached to these minutes.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 10-1706

**RESOLUTION NO. 10-345**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR A 2012 SMALL MATCHING HISTORIC PRESERVATION GRANT IN THE AMOUNT OF \$20,000 FROM THE FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES, TO DEVELOP DESIGN GUIDELINES FOR HISTORIC PRESERVATION.

**Fort Lauderdale Strikers (CR-10)**

**No budgetary impact.**

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 10-1717

**RESOLUTION NO. 10-346**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENCOURAGING TRAFFIC SPORTS USA, INC., AND MIAMI FC. L.L.C., TO NAME THE PROFESSIONAL SOCCER TEAM THAT PLAYS SOCCER AT LOCKHART STADIUM AND TRAINS AT THE FORT LAUDERDALE STADIUM THE "FORT LAUDERDALE STRIKERS," AND ENCOURAGING BROWARD COUNTY AND OTHER BROWARD COUNTY MUNICIPALITIES TO DO THE SAME.

**PURCHASING AGENDA**

**895-10510 – Emergency Inspection Services – As needed basis (PUR-01)**

**Currently no funds are available. Task orders will be contingent upon appropriation of funds by the Commission.**

One-year contracts to purchase inspection services for emergency use only, is being presented for approval by Building Services Department.

**Recommend:** Motion to approve.

**Vendor:** C.A.P. Government, Inc. Doral, FL  
Nova Engineering and Environmental, LLC Sunrise, FL  
Bureau Veritas North America, Inc. Fort Lauderdale, FL

**Amount:** Per Unit Prices

**Bids Solicited/Rec'd:** 3375/6

**Exhibit:** Commission Agenda Report 10-1468

The Procurement Services Department has reviewed this item and recommends awarding to the first, second, and third ranked proposers.

**618-000-11-1 – State of Florida Contract – Office Supplies - (PUR-02)**  
**\$530,000**

**Purchases are made on an “as needed” basis and charged to individual budgets per available funds and is in accordance with published State of Florida pricing.** Thirty-four month contract with one-year renewal option, utilizing State of Florida Contract – January 1, 2011 through October 17, 2013 for purchase of office supplies is being presented for approval by Procurement Services Department.

**Recommend:** Motion to approve.

**Vendor:** Office Depot, Inc.  
Delray Beach, FL

**Amount:** Per Unit Prices

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

**Exhibit:** Commission Agenda Report 10-1726

The Procurement Services Department has reviewed this item and recommends approving purchases from the State of Florida Contract.

**205-10619- Reject Bids and Re-Bid – Public Address – (PUR-03)**  
**Safety Alerting System- Ocean Rescue Bureau**

**No budgetary impact.**

A motion to reject all bids for Ocean Rescue Bureau public address – safety alerting system and authorize re-bidding is being presented by Fire Rescue Department.

**Recommend:** Motion to reject and authorize re-bidding.

**Bids Solicited/Rec'd:** 1336/3

**Exhibit:** Commission Agenda Report 10-1668

The Procurement Services Department has reviewed this item and recommends rejecting all proposals and re-soliciting.

**Electrical Supplies - \$100,000**

**(PUR-04)**

**Purchases are made on an “as needed” basis and charged to individual operating budgets per available funds and in accordance with established pricing.**

One year purchase of electrical supplies not to exceed \$100,000 – U.S. Communities Contract completed by Los Angeles County is being presented for approval by Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Graybar Electric Company, Inc.  
Clayton, MO

**Amount:** \$100,000.00 Not to exceed

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

**Exhibit:** Commission Agenda Report 10-1654

The Procurement Services Department has reviewed this item and agrees with awarding from the U.S. Communities Agreement.

**413-10569 – Water Meters - \$732,620.35**

**(PUR-05)**

**Please see funding information attached to these minutes.**

One-year contracts for purchase of various types of water meters is being presented for approval by Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** See listing under Background Details

**Amount:** 732,620.36 Not to exceed

**Bids Solicited/Rec'd:** 460/5

**Exhibit:** Commission Agenda Report 10-1661

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

**402-104994- Integrated Access Control and Video Security System-  
\$92,888.36 – Peele Dixie Water Treatment Plant**

**(PUR-06)**

**Please see funding information attached to these minutes.**

One-year contract for purchase, installation and integration of an access control and video security system and extended maintenance agreement for Peel Dixie Water

Treatment Plant is being presented for approval by Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Florida State Fire & Security, Inc.  
Davie, FL

**Amount:** \$92,888.36

**Bids Solicited/Rec'd:** 1063/3

**Exhibit:** Commission Agenda Report 10-1663

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

**602-10530 – Water, Mold and Indoor Air Quality Remediation Services (PUR-07)**  
**\$113,681 – Central Maintenance Shop Building**

**Please see funding information attached to these minutes.**

Purchase water damage, mold impact and other indoor air quality remediation services for Central Maintenance Shop Building is being presented by Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Decon Environmental & Engineering, Inc.  
Fort Lauderdale, FL

**Amount:** \$113,681.00

**Bids Solicited/Rec'd:** 817/3

**Exhibit:** Commission Agenda Report 10-1700

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

The following items were removed from the Consent Agenda:

**Motion** made by Vice Mayor Rogers and seconded by Commissioner Roberts that all Consent Agenda items be approved as recommended. Roll call showed: YEAS: Commissioner DuBose, Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

<b>MOTIONS</b>
----------------

**Proprietary – Criminal History Record Checks - \$30,000 (MD-01)**  
**Florida Department of Law Enforcement**

**Please see funding information attached to these minutes.**

One-year purchase of up to 850 criminal history record checks for volunteers and contract instructors participating in City youth sports programs and City sponsored youth sports programs is being presented for approval by Parks and Recreation Department.

**Recommend:** Motion to approve.

**Vendor:** Florida Department of Law Enforcement  
Tallahassee, FL

**Amount:** \$30,000.00

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

**Exhibit:** Commission Agenda Report 10-1676

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

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

**Proprietary – Grit, Rags, and Trash Removal - \$97,377 – (MD-02)**  
**Wastewater Treatment Facilities**

**Purchases are made on an as-needed basis and charged to the individual operating budgets per available funds and in accordance with established pricing.**

Purchase wastewater treatment facilities disposal services – grit, rags and trash – presented for approval by Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** Waste Management Inc. of Florida  
Houston, TX

**Amount:** \$97,300.00 Not to Exceed

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

**Exhibit:** Commission Agenda Report 10-1616

The Procurement Services Department has reviewed this item and recommends approval of these proprietary purchases.

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

**Water Environment Research Foundation Subscription - \$10,567 (MD-03)**

**Please see funding information attached to these minutes.**

One-year subscription to Water Environment Research Foundation.

**Recommend:** Motion to approve.



**Exhibit:** Commission Agenda Report 10-1710

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

**Proprietary – Motorola Radio System Support - \$389,532-800 MHz Public Safety Radio Communications System** **(MD-04)**

**Please see funding information attached to these minutes.**

Renewal of annual radio system maintenance contract for 800 MHz Public Safety Radio Communications System in substantially the form provided and including mutually agreed-upon changes for additional protection of the City – presented for approval by Information Technology Services Department.

**Recommend:** Motion to approve.

**Vendor:** Motorola, Inc.  
Schaumburg, IL

**Amount:** \$389,532.00 (not to exceed)

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

**Exhibit:** Commission Agenda Report 10-1708

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

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

**Centennial Photo Montage Project - \$23,000** **(MD-05)**

**Please see funding information attached to these minutes.**

Agreement with Broward County Film Society, Inc., in an amount not to exceed \$23,000 – produce and project Fort Lauderdale Centennial Photo Montage Project in conjunction with Centennial Celebration subject to review and approval of City Attorney.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1767

Although he felt it is a great concept, Commissioner DuBose indicated that he still has the same concerns previously raised and no revisions have been brought to his attention, therefore he could not support it. Kathleen Gunn, Assistant to the City

Manager, Grants, Legislative Affairs and Compliance, explained that the video loops have not yet been produced; the one presented to the Commission was a sample. Staff had suggested the Commission submit photos of suggested locations. Commissioner DuBose maintained that nothing has been presented to give him a comfort level as to proper representation from the northwest. Nothing has changed. Ms. Gunn offered an apology, and assured him that his message has been communicated clearly to the producer. Nothing further has been done. She would be happy to meet with him.

Ina Lee, chair of marketing, member of the Centennial Celebration Committee, assured that the producer is aware of Commissioner DuBose's concerns and they will be addressed; but, approval is necessary to move forward with producing something. She emphasized the goal to have the montage ready to view by January 1. She was unaware that different videos should have been brought back. The producer's goal is to represent all of the districts. Commissioner DuBose reiterated that nothing was done. Mayor Seiler also expressed concern that nobody met with Commissioner DuBose. Ms. Gunn explained the plan is to have one montage for each district and videos are being collected at this time. There will be eight montages; one from each district and four themes. She referred to more detail in Commission Agenda Report 10-1767. It is not possible to ask for work to begin until they have been hired, but because the City has an existing contract with the historian and Historical Society, staff has begun collecting photographs.

In response to Commissioner Rodstrom, Ms. Lee confirmed that nothing will be displayed at the airport until the project moves forward. The intention would be to include the city's diversity. Mayor Seiler requested staff provide information to the Commission before anything is published.

Some discussion ensued as to how staff is moving forward with obtaining photographs. Ms. Gunn suggested she present photographs to each member of the Commission for their consent. Members of the Commission could also provide any photographs they would like included. Mayor Seiler wanted better communication between the Commission and staff for this project.

Commissioner DuBose was satisfied with how staff will proceed with the district montages but did not yet feel comfortable with respect to the thematic montages because nothing is in place to assure that they will represent the entire city. Ms. Gunn suggested a contract amendment including an advance approval condition.

**Motion** made by Commissioner DuBose and seconded by Commissioner Rodstrom to approve the item and amend the agreement to provide for the district montages to be reviewed with the Commission prior to their release and the thematic montages to be approved by the Commission before their final stage.

Roll call showed: YEAS: Commissioner DuBose, Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

---

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

**(MD-06)**

**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 a 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 10-1773

Andre Parke, of Doumar, Allsworth, et al., representing the Applicant, indicated they have just been retained. In order to complete due diligence, he requested deferral to January 19, 2011.

Vice Mayor Rogers pointed out this item has been deferred numerous times since July 7, (2010).

**Motion** made by Commissioner Rodstrom and seconded by Commissioner Roberts to defer the item to January 19, 2011. Roll call showed: YEAS: Commissioner DuBose, Vice Mayor Rogers, Commissioner Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

---

**City Commission Request for Review – New Construction (MD-07)**  
**1216 SW 4 Court - Appeal – Historic Preservation Board**  
**Certificate for Appropriateness – Case 8-H-10**

**No budgetary Impacts.**

**Applicant:** Kenneth Powell and James C. Paras  
**Zoning:** Residential Single-Family/Low Medium Density (RS-8) District  
**Location:** 1216 SW 4 Court

Review of Historic Preservation Board's decision to approve certificate of appropriateness for new construction at 1216 SW 4 Court.

**Recommend:** Motion to set hearing within sixty days.

**Exhibit:** Commission Agenda Report 10-1775

Mayor Seiler noted the Historic Preservation Board's recent approval of this new construction and the purpose before the Commission this evening. He opened the floor for public comment.

Susan McClellan, chair of the Historic Preservation Board (board), indicated her submission of the board's criterion and how it is applied to a project which was made a

part of the record. Personally, she felt the project is out of scale for the neighborhood and noted her dissenting vote.

Dave Parker, president of Sailboat Bend Civic Association (association), presented an email from Alysa Plummer, vice president of the Association, dated November 29, 2010, which is attached to these minutes. She points out that incorrect data was used by the Historic Preservation Board, allowing this new single family home to be constructed that is four feet six inches taller than the highest historical home (Oliver House). The Oliver House sits on a four foot six inch grade which was included in the calculation by the board and Ms. Plummer believes it was a clear violation of the U.S. Secretary of Interior's Guidelines for new construction in a historic district. He objected to the project.

Vice Mayor Rogers noted another email from Matthew DeFelice, vice chair of the Historic Preservation Board, which basically states the same message as Ms. Plummer. It was made part of the record.

In response to Mayor Seiler, Ms. McClellan noted the board's vote of 6-2. She indicated the project had been presented a couple of times prior, but this review was treated as a new submittal with a new project number. Although the height has been lowered, it is still taller than other indigenous properties. The Oliver House was moved into the area; it is not indigenous. The project's scale is too large and there are two garage doors facing the street unlike any other in the neighborhood. In further response to Mayor Seiler, Ms. McClellan, on behalf of Mr. Parker, confirmed his request to set a public hearing to review the application.

Ken Powell, Co-Applicant, referred to Section 47-24.11.C of the Unified Land Development Regulations, and contended the thirty-day review period has elapsed as this project was first before the Historic Preservation Board on November 1. The City Attorney clarified another section that addresses a call-up provides thirty days for the Commission to call-up. If so, the Commission must have the hearing on the next available Commission meeting. This item was called up on the thirtieth day and this is the first meeting subsequent to that call-up.

Mr. Powell indicated that all of the plans for a building permit are ready for submittal. He referred to his email to the Commission, asking the Commission to support the board's decision including a copy of the site plan and elevations which was made a part of the record. He noted the scrutiny and hours of public hearing process thus far. He noted a previous approval for construction of a 2½ story home on this site which did not go forward because the previous owner could not meet the financial obligations. Since a 2 ½ story home had already been approved, he assumed application for a two story home would be granted. Having used all reasonable due diligence in researching this property, they have become victims of vagueness and financially damaged by the inconsistent interpretation of the code. Any further delays will only add to the cost of this approval process.

Commissioner Roberts questioned by the form 2 ½ story application was approved and this two-story home is not supported. Vice Mayor Rogers did not know, but pointed out that there was an error in the data and calculating the height. That being the case, Commissioner Roberts noted the height would be less than that approved in 2003. Vice Mayor Rogers felt there are items in the score sheet of the Historic Preservation Board

that deserve a further look in addition to the error. Commissioner Roberts did not look at the matter as significant as it did not exceed the previous approval.

Chairperson McClellan acknowledged there were several discrepancies within the project's presentation. The 2003 board approved a project of this nature with the same ordinance. The current board tries to use worksheets to make clear what is passable within the ordinance. When the project was brought forward this time, it was assigned a new case number and it was the board's first review. It is larger than any indigenous structure. The Oliver House is not indigenous to the neighborhood. It is true that the Oliver House was approved for placement in the neighborhood, but it is a larger lot. It has to do with proportion, size and mass on a lot. Mr. Powell noted modifications made to the design during the public hearing process and comparison with the Oliver House.

In response to Commissioner Rodstrom, Anthony Fajardo, Planning and Zoning, advised that the code does not specify height, but rather indicates the structure must be compatible with adjacent properties defined as contributing to the historic district. The City Attorney clarified that the Commission would identify houses as contributing structures. Mr. Powell noted the structure to the west is the same height as the proposed home side walls and roof pitch. He referred to the site plan for more clarity. Their ridge height is the same as the proposed home wall height. Vice Mayor Rogers noted that the home's roof height exceeds that ridge. Some dialogue continued on specifics of the component heights. Commissioner Rodstrom emphasized the uniqueness of the historic district and the need to fit a design to that district. Mr. Powell noted that they modified their plan in response to comments made at each of the hearings. He did not know what else would need to be done in order to satisfy the neighborhood. Vice Mayor Rogers believed the peak needs to be lowered five feet. Mr. Power indicated that could be accomplished with a contemporary design, but he did not think it fits the neighborhood as well.

Vice Mayor Rogers explained this neighborhood has historic homes with unique features. A new home that is higher than everything else will stand out like a sore thumb. The home should fit within the mold of what is there. He did not think a ruling based on an error should be upheld. Mr. Powell noted there is substantial compliance with the ordinance. Vice Mayor Rogers felt it is a major issue. Mr. Powell noted probably all of the new construction in the last eight years is three stories. In response to Vice Mayor Rogers, Mr. Powell acknowledged that there has not been a single family home built. In further response, Mr. Powell noted that they made modifications to the plans three times in response to comments at each public hearing, however, the code is vague. Discussion ensued about comparisons with properties on each side.

Commissioner Rodstrom wanted to set a hearing within sixty days as recommended.

Mayor Seiler referred to comments in the minutes where Alysa Plummer, vice president of Sailboat Bend, indicates that neither she nor the association had seen the plans. The minutes further show, Charles Jordan, representing Trust for Historic Sailboat Bend, indicating that Mr. Powell had chosen to portray himself as a victim rather than go through the process. Then Dave Parker, president of the association, indicates a process of bringing plans to the association and asks the board to wait to give the association an opportunity to look at the plans. He pointed out that Ms. Plummer and Mr. Parker are always available to meet. He noted other comments in the minutes showing that it would have probably been easier to meet with the association. Mayor Seiler

questioned also a comment by Mr. Jordan as to posting of the board's agenda. Finally, he noted a comment that Mr. Powell had not met with the association because the last time the architect did so, he was ambushed. He did not think this is the way to process projects.

While deciding upon a hearing date, Mr. Powell requested March 15, 2010. In response to Mayor Seiler, Mr. Powell was concerned that the association does not want to listen to their presentation. Mayor Seiler encouraged him to meet with the association before the hearing.

In response to Vice Mayor Rogers, Mr. Powell clarified one point on the application that calls for the total estimated project cost shown on the application in the backup (Exhibit 2).

**Motion** made by Vice Mayor Rogers and seconded by Commissioner Rodstrom, to set a public hearing for March 15, 2010, at the request of the Applicant, to review the application for a development permit. Roll call showed: YEAS: Vice Mayor Rogers, Commissioner Rodstrom, and Mayor Seiler. NAYS: Commissioners DuBose and Roberts.

<b>RESOLUTIONS</b>
--------------------

**Site Plan Level IV – Surface Parking Facility – Case 71-R-10**

**(R-01)**

**No Budgetary Impact.**

**Applicant:** Broward County, Board of County Commissioners

**Location:** 210 South New River Drive

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

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

Richard Leja of Cartaya & Associates, representing the Applicant, confirmed this is temporary parking for the judges in connection with redevelopment of the courthouse. At the conclusion of the project, he anticipated that the Sheriff's Office will return to using the parking lot. It was also confirmed for Vice Mayor Rogers that the use would not change unless initiated by the property owner, Broward County.

Commissioner Rodstrom introduced the following resolution:

**RESOLUTION NO. 10-331**

A RESOLUTION OF THE CITY COMMISSION OF THE  
CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A  
DEVELOPMENT PERMIT FOR A SURFACE PARKING  
FACILITY LOCATED AT 210 SOUTH NEW RIVER DRIVE  
ALONG THE NEW RIVER AND ADJACENT TO THE

EXISTING BROWARD COUNTY JAIL, FORT LAUDERDALE, FLORIDA IN THE DOWNTOWN REGIONAL ACTIVITY CENTER-CITY CENTER (RAC-CC) ZONING DISTRICT.

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

---

**Disposition of City Owned Property – 2030 NW 14 Avenue - \$1,700** (R-02)

**Please see funding information attached to these minutes.**

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 10-332

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 8.04 OF THE CITY CHARTER, ACCEPTING THE OFFER OF ONE THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$1,700.00) BY KOTELIA WALKER, AN UNMARRIED WIDOW, FOR THE PURCHASE OF SURPLUS PROPERTY, BEING MORE PARTICULARLY DESCRIBED BELOW, WITH THE APPROXIMATE STREET ADDRESS OF 2030 NW 14<sup>TH</sup> AVENUE, FORT LAUDERDALE, FLORIDA AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR PURCHASE AND SALE OF THE PROPERTY, A QUIT CLAIM DEED OF CONVEYANCE AND FURTHER AUTHORIZING EXECUTION AND DELIVERY OF ANY AND ALL INSTRUMENTS NECESSARY OR INCIDENTAL TO THE COMPLETION OF THE TRANSACTION.

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

---

**Solid Waste Disposal Services – Interlocal Agreement – Broward County Resource Recovery System** (R-03)

**No Budgetary Impact.**

At Mayor Seiler's request, Albert Carbon, Director of Public Works, reported on Broward County Commission's action on this item, indicating it was voted down but discussion is still ensuing. He indicated that member cities were looking for the County to take action on creation of an independent district before they acted on the interlocal agreement and

that was voted down by the County Commission. In response to Commissioner Rodstrom, Mr. Carbon explained the requirements associated with the City receiving the \$2 million signing bonus, indicating 80 percent of the member cities were to approve the interlocal agreement by December 31. As of December 6, there is 51.9 percent of the population and 49.9 percent of the tonnage toward the December 31 goal in order for the interlocal agreement to move forward.

In further response to Commissioner Rodstrom, Mr. Carbon explained that the interlocal agreement cannot take effect until the County Commission approves an independent district. The City Attorney went on to explain that the City cannot entertain approval this evening. He confirmed it could be addressed at the December 21 meeting. Mayor Seiler asked this item be scheduled for that date.

Commissioner Roberts requested additional information for December 21 as to the impact of various potential scenarios including the possibility of the district becoming independent.

Mayor Seiler emphasized the significance of this decision and asked the Commission to meet with staff and representatives of the Resource Recovery Board in preparation. He noted the major improvements the City will be accomplishing with this action, but that there are still some open items. Commissioner DuBose asked staff to keep the Commission up to date on any changes or developments as they occur.

In response to Vice Mayor Rogers, Mr. Carbon indicated that it would be a great benefit to have the assistance of an entity such as Kessler Consulting with knowledge throughout Florida. Mayor Seiler was not receptive to retaining a consultant at this point. Vice Mayor Rogers wanted the additional expertise in light of the significance of this decision. Commissioner Rodstrom was not in favor of retaining outside assistance. Commissioner Roberts pointed out the potential for the deadline to be extended as it has been in the past. In response to Commissioner Roberts, Mr. Carbon indicated that while all of the cities have accumulated information, he does not know about the reliability of that information in terms of accuracy. It would be helpful to validate the information. Oakland Park's report is the opposite of Weston's report. There is also the need to provide the Commission with information far enough in advance. Vice Mayor Rogers wanted more information as to future risk factors. He went on to elaborate upon some examples. In further response, Mr. Carbon indicated the fee would assuredly be less than \$10,000 and there is funding under sanitation consultant services that was meant for a rate study after implementation. Commissioner DuBose supported retaining additional assistance. With staff not being comfortable, Mayor Seiler wanted to reconsider his position. He was generally concerned about hiring outside consultants. Commissioner DuBose pointed out the difficulties staff has experienced in obtaining information. It has been a strain and it has changed. Mayor Seiler noted that the information has been available for over a month. All of the changes have been for the benefit of the cities. Commissioner Roberts believed that staff is still waiting for some information. Mr. Carbon clarified that staff will make a recommendation, however, the more information that the City can secure, the better the recommendation will be. He received the five-year financial plan breakdown on November 30 just before the agenda package delivery. If the Resource Recovery Board took action before Thanksgiving and staff did not receive the information until December, Mayor Seiler planned to follow-up with the board because the information should have been disseminated the same day. He requested a copy of the transmittal document. Mr. Carbon clarified that the first-year



costs were presented to the board, but he had requested a five-year forecast. Commissioner Rodstrom noted a fifty cent increase over the next five years is anticipated. Mr. Carbon indicated that is somewhat different than the five-year projection he received on November 30.

Mr. Carbon responded to Vice Mayor Rogers' question about the change of law provision, indicating the interlocal agreement has been modified to reduce the (maximum) percentage of change. Also, a change of law would impact all waste disposal options. He wanted to pursue reducing the ten-year commitment on the part of the City.

Mayor Seiler asked that Mr. Carbon confirm this is going forward at the County level, and if so, meet with the Commission individually. Additional discussion ensued as to what was currently occurring at the County Commission meeting on this topic. Commissioner Roberts wanted to proceed with retaining additional consulting assistance.

**Motion** made by Vice Mayor Rogers and seconded by Commissioner Roberts allowing City staff to retain an expert for a cost not to exceed \$10,000 to obtain additional input on this item. Roll call showed: YEAS: Commissioner DuBose, Vice Mayor Rogers, Commissioner Roberts; NAYS: Commissioner Rodstrom and Mayor Seiler.

Mayor Seiler announced this item was deferred to December 21, 2010.

#### RESOLUTION NO. 10-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A NEW INTERLOCAL AGREEMENT WITH BROWARD COUNTY AND PROVIDING FOR THE RESOURCE RECOVERY SYSTEM WITHIN BROWARD COUNTY AND THE BROWARD SOLID WASTE DISPOSAL DISTRICT FOR SOLID WASTE DISPOSAL SERVICES.

---

#### **Board and Committee Appointments**

**(R-04)**

#### **No budgetary impact.**

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

Beach Business Improvement District Advisory Committee	Kenyata Allain (Consensus)
Budget Advisory Board	A.J. Cross (Mayor Seiler)
Centennial Celebration Committee	Mary Rizor (Commissioner DuBose)
Citizens Sustainability Green Committee	Alena Alberani (Commissioner Rodstrom)
Community Appearance Board	Tom Catalino (Mayor Seiler)

Patrick R. Maloy (Mayor Seiler)  
 Cara Christine Pavalock (Mayor Seiler)  
 Sarah Davis (Vice Mayor Rogers)  
 Valerie J. Amor (Commissioner Roberts)  
 Greg Stuart (Commissioner Rodstrom)

Fire-Rescue Facilities Bond Issue  
 Blue Ribbon Committee

Steve Kirsch (Commissioner Rodstrom)

General Employees Retirement System,  
 Board of Trustees

Sean Jones (Mayor Seiler)

Marine Advisory Board

Lisa Scott Founds (Commissioner Rodstrom)

Short Term Residential Use Committee

Dwight Ledbetter (Mayor Seiler)  
 Larry Isakowitz (Commissioner Roberts)

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 10-333

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

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

**CITIZEN PRESENTATIONS**

**Ashok Patel – Macabi Cigars Las Olas Remodel -  
Combine Two Shops into One Shop**

**(CIT-01)**

On behalf of Mr. Patel, his daughter requested allowance to join his liquor store and cigar bar by opening a doorway to allow one employee for both businesses. She noted prior requests and their prior successful lawsuit against the City. She elaborated upon negative economic conditions faced by Las Olas small business owners and asked for the City's support. She questioned the need for a parking study when others have been performed in the past and the fact there is less traffic. Mayor Seiler recalled his prior visit to the property. Staff has attempted to reach out numerous times. Mr. Patel clarified his request to remove only part of a wall. In response to Mayor Seiler, the City Attorney provided an update on Mr. Patel's prior lawsuit. Currently, staff has attempted to provide him a permit to open the doorway and join the businesses; however, he wants to change the retail establishment to a 4COP (liquor license) which has additional parking requirements and is a change of use. The City can accommodate opening the doorway. A change of use requires a parking study. In response to Mayor Seiler and Commissioner Rodstrom, Wayne Jessup, Deputy Director of Planning and Zoning,

explained a parking study is required to determine if a reduction of required parking spaces is possible, and he was sure staff has provided relevant information to Mr. Patel. Mayor Seiler concluded that the proper course of action would be a variance application to the Board of Adjustment, appealing the staff's recommendation as detailed in the Director of Planning and Zoning's letter (October 28, 2010) that was made a part of the record. Mr. Patel wanted Mayor Seiler to override staff's recommendation. The City Attorney reiterated there is a required change of use process.

**Art Seitz – International Swimming Hall of Fame, Beach Community (CIT-02)  
Redevelopment Agency Funding, Ireland's Inn Parking and Developer  
Agreement and Piers**

Concerning the centennial celebration, Mr. Seitz noted some volunteer efforts to fashion a "gator bridge" across the New River. If provided the contact information, Mayor Seiler offered to make the necessary contacts to move the project forward.

Mr. Seitz expressed desire to have two well-known marine artists create a centennial mural at the port and airport. He also felt it is important to create (centennial) memorabilia items that could be sold to raise funds. He claimed his suggestions to the Centennial Celebration Committee were ignored. Mayor Seiler agreed with the memorabilia idea and offered to address it with the committee.

Mr. Seitz suggested the City purchase the west side of the American Golf Course property to utilize as green space. He stressed the importance of shovel ready projects in order to obtain funding. He claimed there is no money in the budget to get the A-1-A greenway project shovel ready. He thought not moving this project forward could keep low income people from enjoying the beach. He applauded the walkway which makes access to the boat parade easier. In response to his concerns about Ireland's Inn, Mayor Seiler indicated he has discussed this with the staff will report their findings.

Mr. Seitz thought there would have been a larger turnout for the holiday lighting event if digital monument signs were allowed.

Mr. Seitz hoped two piers would be built. Mayor Seiler supported the idea of one pier. He pointed out these issues were raised at the Beach (Redevelopment) Board meeting and offered to provide Mr. Seitz the minutes. Mr. Seitz asked that the minutes be posted on the City's website.

<b>PUBLIC HEARINGS</b>
------------------------

**Rezoning to Residential Low-Rise Multifamily – Medium Density- (PH-01)  
Case 2-Z-10 – City of Fort Lauderdale – 1305-1335 NW 9 Street**

**No Budgetary Impact.**

<b>Applicant:</b>	City of Fort Lauderdale
<b>Location:</b>	1305-1335 NW 9 Street
<b>Current Zoning:</b>	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.**

Members of the Commission announced with whom he or she had spoken with and, or site visits made concerning this matter; some members announced the same disclosures indicated on first reading.

Commissioner DuBose indicated that he had previously asked that this item be deferred. He has had discussions with staff including the City Attorney's Office, and was uncertain whether there is any additional information that will be forthcoming. The City Attorney advised that staff has not been able to find any additional information. The property has been used as single family for a number of years. The Housing Authority has owned the property since sometime in the 1950s when it was platted. Nothing was found to show that there was any reservation for a park on this property. A request was made to the Housing Authority to produce a deed, but there has not been a response.

Mayor Seiler left the meeting at approximately 8:45 p.m.

Tam English, representing Fort Lauderdale Housing Authority, advised that they have been unable to locate a copy of the deed. The tax assessor may be able to locate it, but very old documents are difficult to locate.

In Mayor Seiler's absence, Vice Mayor Rogers opened the floor for public comment.

Mickey Hinton, president of Durrs Homeowners Association, advised that the neighborhood is opposed to the rezoning. They would like the property to remain as open space. He presented a map he received from the City when he purchased his property that shows the property as open space. A copy of the map (2-page) is attached to these minutes. He went on to mention particulars about the property including an abutting elementary school playground. He believed there are ownership questions. He did not know why this matter was on the Planning and Zoning Board agenda and removed. He wanted to defer the item until this is clarified. He did not think that the Housing Authority has been forthcoming with the residents.

Mayor Seiler returned at approximately 8:59 p.m.

In response to Commissioner DuBose, Mr. Hinton reiterated the association's position regardless of whether it was a mistaken rezoning. He commented that the Housing Authority may not be able to locate the deed because they do not own it. He wanted the question answered.

Juanita Gray, 3011 NW 21 Street, supported Mr. Hinton and agreed with his comments. She elaborated upon the challenges that area residents have faced, mentioning the contamination issues as an example and that they want a better way of life.

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

Commissioner DuBose indicated that this property is not within the Housing Authority's development project. There is a discrepancy as to the original intent of the property. No one can clearly address why it was zoned Park and Recreation. There are area residents who are challenging this. He wanted to first do more due diligence.

In response to Mayor Seiler, Wayne Jessup, Deputy Director of Planning and Zoning, advised that the zoning was established as R-3 in 1955. When the land use was established in 1989 it was designated Park. From 1953 to 1989, the property was being used as residential. Research did not discover any discussion on the part of the Commission about such a designation. Mayor Seiler did not want to conclude it was a mistake until it could be confirmed. Mr. Jessup explained one might conclude it was a mistake because the use continued to be residential. He agreed with Mayor Seiler that the existing buildings on the property could have been grandfathered-in. He thought there should have been some discussion when the land use map was created in 1975. Vice Mayor Rogers pointed out that if there is a deed with some reservation or deed restriction, it should be found. The City would require any applicant to provide such proof. He questioned how the City is proving the medium residential future land use designation. The City must first determine if a mistake was made. It should not be a vote to rezone, but rather to correct the record. Mayor Seiler concurred.

The City Attorney did not think a mistake would be found, but rather that as a matter of practice the City does not zone other people's property Park. The Housing Authority has owned the property since 1958. It was being used as single-family housing. Vice Mayor Rogers believed the Housing Authority applied for a building permit before the mistake took place. Perhaps there is a deed with a reservation in it.

Robert Lochrie, representing the property owner, was agreeable to do whatever is necessary to locate the deed.

Commissioner DuBose thought that the property could have been zoned Park before the Housing Authority acquired it. For example, there are occasions where houses are built on industrial zoned land. Years ago, demarcations were not so clearly defined.

Mr. Lochrie displayed the map presented by Mr. Hinton, dated 1997, and pointed out that it shows the existing zoning of the property as R-3 and proposed zoning to Park. It looks like the line was incorrectly drawn. He agreed with the City Attorney that the City would not have rezoned private property to Park. Commissioner DuBose emphasized there is nothing presented definitively that was a mistake. There are likely examples on both sides of the argument in the record books.

Mayor Seiler wanted the City to comply the same as it would require of any applicant. He felt there needs to be more evidence.

#### ORDINANCE NO. C-10-

AN ORDINANCE OF THE CITY COMMISSION 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 13<sup>TH</sup> AVENUE AND NORTHWEST 9<sup>TH</sup> STREET, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

---

**Dock Waiver Application – Distance of Limitations -  
Michael J. and Lisa G. Reardon – 3010 NE 40 Street**

**(PH-02)**

**No budgetary impact.**

**Applicant:** Michael J. and Lisa G. Reardon  
**Location:** 3010 NE 40 Street

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

Members of the Commission announced site visits made concerning this matter.

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

Commissioner Roberts introduced the following resolution:

**RESOLUTION NO. 10-334**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING, SUBJECT TO TERMS AND CONDITIONS, A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.B OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO MICHAEL J. REARDEN AND LISA G. REARDEN, HUSBAND AND WIFE ("APPLICANTS"), FOR APPROVAL OF AN EXISTING BOAT LIFT EXTENDING APPROXIMATELY 17'7" FROM APPLICANTS' PROPERTY LINE INTO THE ADJACENT CANAL, SUCH DISTANCE AND PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW; PROVIDING FOR EFFECTIVE DATE.

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

---

**Dock Waiver Application – Distance of Limitations -  
Jean-Marie Viaud – 1528 Argyle Drive**

**(PH-03)**

**No budgetary impact.**

**Applicant:** Jean-Marie Viaud  
**Location:** 1528 Argyle Drive

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

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

Commissioner DuBose introduced the following resolution:

RESOLUTION NO. 10-335

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.B OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO JEAN-MARIE VIAUD, FOR APPROVAL OF AN EXISTING BOAT LIFT EXTENDING INTO THE NORTH FORK OF THE NEW RIVER APPROXIMATELY 29' FROM THE PROPERTY LINE, SUCH DISTANCE AND PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW; TERMS AND CONDITIONS OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

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

---

**Dock Waiver Application – Distance of Limitations -  
Niles R. LeStrange – 160 North Compass Drive**

**(PH-04)**

**No budgetary impact.**

**Applicant:** Niles R. LeStrange  
**Location:** 160 North Compass Drive

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

Mayor Seiler announced a site visit made concerning this matter.

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

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 10-336

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.B OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW DR. NILES R. LESTRANGE TO CONSTRUCT AND MAINTAIN A NEW BOATLIFT TO EXTEND APPROXIMATELY 23" INTO THE ADJACENT CANAL FROM THE PROPERTY LINE, SUCH DISTANCES AND PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW.

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

<b>ORDINANCES</b>
-------------------

**Code Amendment – Police and Firefighters Retirement System-  
Police Overtime, Beneficiary or Joint Annuitant, Retirement**

**(O-01)**

**No Budgetary Impact.**

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-10-43

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE FLORIDA RESPECTING THE CITY'S POLICE AND FIREFIGHTERS' RETIREMENT SYSTEM BY AMENDING CITY OF FORT LAUDERDALE CODE SECTION 20-127, DEFINITIONS, BY REVISING AND ADDING NEW DEFINITIONS; CREATING A NEW SECTION 20-127.5, OVERTIME EARNINGS FOR POLICE OFFICERS, PERMITTING 40 HOURS OF OVERTIME PER POLICE OFFICER PER CALENDAR YEAR TO BE TREATED AS EARNINGS UNDER THE PLAN AND PROVIDING FOR



SUBSEQUENT AMENDMENT OR SUNSET AND REPEAL THEREOF, SUBJECT TO TERMS AND CONDITIONS; BY AMENDING SECTION 20-128, ELIGIBILITY, REGARDING DESIGNATION OF A BENEFICIARY OR JOINT ANNUITANT; AMENDING SEC. 20-129, RETIREMENT DATES AND BENEFITS, REGARDING EARLY RETIREMENT; AMENDING SECTION 20-131, OPTIONAL FORMS OF RETIREMENT BENEFITS, REGARDING DESIGNATION OF A BENEFICIARY OR JOINT ANNUITANT FOR OPTIONAL FORMS OF RETIREMENT BENEFITS; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATES.

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

---

**Pilot Program – Sandwich Board and Banner Signs (O-02)**  
**Unified Land Development Regulations – Section 47-22**

**No budgetary impact.**

Vice Mayor Rogers urged staff to provide any necessary public education as the pilot moves forward.

Mayor Seiler indicated the Planning and Zoning Board (board) recommended this program be adjusted from 20 to 14 months. He wanted to leave the program at 20 months, but thought the Commission should be aware of the recommendation. In response to Commissioner Rodstrom, Anthony Fajardo, Planning and Zoning, indicated the board thought that fourteen months was a sufficient amount of time to determine whether the pilot was successful. He had conveyed to the board that the Commission preferred 20 months due to signage costs and to cover two holiday periods of time. Mayor Seiler did not think fourteen months is sufficient because it needs to extend through the next season. Vice Mayor Rogers agreed.

Vice Mayor Rogers introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-10-46

AN ORDINANCE CREATING TEMPORARY SIGN REGULATIONS AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO CREATE A PILOT PROGRAM TO PERMIT ON A TEMPORARY BASIS BANNERS AND SANDWICH SIGNS; PROVIDING STANDARDS AND CRITERIA; PROVIDING AN EFFECTIVE DATE.

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

---

**Code Amendment – Section 47-19.3 – Boat Mooring Devices**

**(O-03)**

**No budgetary impact.**

Vice Mayor Rogers introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-10-44

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 8-91 MOORING STRUCTURES AND 47-19.3 BOAT SLIPS, DOCKS, BOAT DAVITS, HOISTS AND SIMILAR MOORING DEVICES TO INCREASE THE DISTANCE MOORING STRUCTURES MAY EXTEND INTO THE WATERWAY; INCREASE THE HEIGHT VESSELS MAY BE LIFTED OUT OF THE WATER; PROVIDING DEFINITIONS; PERMITTING AN ALTERNATE SAFETY DEVICE AND REQUIRING ATTACHMENT TO ANY SUBMERGED MOORING DEVICE; PERMITTING ADDITIONAL MOORING DEVICES ON A DEVELOPMENT SITE AND PROVIDING A PERMITTING PROCESS; AMENDING MEASUREMENT OF THE HEIGHT OF A DOCK OR SEAWALL; PROVIDING AN EFFECTIVE DATE.

Commissioner Rodstrom questioned how this amendment affects the issue of obstructed views caused by boats lifted out of the water. Andrew Cuba, Marine Facilities Manager, explained the ordinance now states a boat can be lifted (up) to the boat's lowest appendage, one foot above the seawall cap. It formerly stated (up to) the keel, one foot above the seawall cap. He confirmed that larger boats will extend higher. Commissioner Rodstrom indicated her opposition because of potential view obstruction for people other than the property owner. Mr. Cuba explained the amendment originated from a desire to protect the boat's lowest appendage, because the keel is often not the lowest appendage. Boat owners cannot lift their running gear out of the water when the lowest appendage rule restricts to the keel.

Vice Mayor Rogers had the same concern about the maximum height out of the water. In response to his question, Mr. Cuba indicated it would be permitted one foot above the seawall. The Marine Advisory Board recommended and the language specifies to allow the lowest appendage to extend one foot above the seawall. Vice Mayor Rogers noted that the height of the tide is a factor. Commissioner Rodstrom reiterated her concern, but commented that perhaps it could be tried. In further response, Albert Carbon, Director of Public Works, indicated that height maximums for seawalls may have changed over the years, but there is a maximum measurement in effect. Cate McCaffrey, Director of Business Enterprises, went on to quote the applicable current

code provision. Charlie Bell of East Coast Boat Lifts, Inc., noted his years of experience in this field in Fort Lauderdale and expressed the view that the proposal is reasonable and noted that customarily a boatlift cannot be installed more than six feet above the seawall. Some discussion ensued as to the logistics of the code amendment if enacted wherein it was noted that there is no overall height limitation; it would vary with the height of a boat. Mr. Bell believed that the proposal is in line with other municipalities. Some municipalities restrict the boatlift to six feet above the dock height. Mr. Cuba indicated that the City's code has such a restriction of six feet with allowance to the guide poles can extend higher than the lift. In response to Commissioner Rodstrom, Mr. Cuba explained why sailboats would not be a good example in this case and went on to estimate that this amendment would result in roughly a two foot difference. Mr. Bell agreed the footage difference would not be significant.

Vote DuBose registers his vote later

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

Commissioner DuBose left the meeting at approximately 9:51 p.m. and returned at 9:53 p.m. at which time he cast his vote for this item.

---

**Code Amendment – Section 47-22 – Message Center Signs**

**(O-04)**

**No budgetary impact.**

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-10-45

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-22.3, GENERAL REGULATIONS, OF SECTION 47-22, SIGN REQUIREMENTS, TO PERMIT MESSAGE CENTER SIGNS IN ADDITIONAL LOCATIONS; PROVIDING ADDITIONAL DIMENSIONAL REQUIREMENTS AND STANDARDS; PROVIDING AN EFFECTIVE DATE.

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

---

**Code Amendment – Section 2-61 – Five Year Financial Forecast**

**(O-05)**

**No budgetary impact.**

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-10-42

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, REQUIRING THE CITY MANAGER TO INCLUDE A FINANCIAL FORECAST PROJECTED FIVE YEARS INTO THE FUTURE; AND PROVIDING SEVERABILITY, REPEAL OR CONFLICTING ORDINANCE PROVISIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

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

---

**Fort Lauderdale Centennial Celebration -  
Public Purpose Special Event – January 1 – June 30, 2011**

**(O-06)**

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-47

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING JANUARY 1 THROUGH JUNE 30, 2011 AS A PUBLIC PURPOSE SPECIAL EVENT KNOWN AS FORT LAUDERDALE CENTENNIAL CELEBRATION IN THE CITY OF FORT LAUDERDALE; PROVIDING FOR A LIMITED TEMPORARY EXEMPTION FROM SPECIFIC PROVISIONS OF SECTION 47-22 OF THE UNIFIED LAND USE REGULATIONS, ESTABLISHING TIME LIMITATIONS, INSURANCE AND INDEMNIFICATION REQUIREMENTS; APPLICATION PROCEDURES AND SAFETY REQUIREMENTS FOR SIGNAGE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

In response to Commissioner Roberts, the City Attorney explained that a six-month period is proposed versus one-year because it is a short-term event. A longer period of time could make it susceptible to creating a permanent situation.

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

---

**Code Amendment – Article VII, Chapter 2 -  
Sustainability Advisory Board****(O-07)**

The City Clerk noted that the ordinance provides for members to live within the city. It has categories that are optional, but encouraged. There is one consensus appointment and each member of the Commission has two nominees.

Commissioner Roberts questioned the restriction that members be required to live within the city. He recalled previous Commission discussion about expanding the language to provide for people who work in the city and business owners. Mayor Seiler did not recall any difficulty in filling vacancies when this existed as a committee. Albert Carbon, Director of Public Works, advised that the membership criteria was not changed from what existed for the committee. He confirmed that there has not been difficulty filling the positions. In response to Commissioner DuBose, the City Clerk advised that the categories are not mandatory, only encouraged. She believed there are only two boards with mandatory categories.

Commissioner Roberts introduced the following ordinance on FIRST reading:

**ORDINANCE NO. C-10-48**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENACTING A NEW DIVISION 8 OF ARTICLE VII, ENTITLED "BOARDS, COMMISSIONS, ETC.", OF CHAPTER 2 OF THE CODE OF ORDINANCES, ENTITLED "ADMINISTRATION", TO ESTABLISH A SUSTAINABILITY ADVISORY BOARD; PROVIDING FOR MEMBERSHIP QUALIFICATIONS, LENGTH OF TERM AND THE PURPOSE AND DUTIES OF THE BOARD.

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

---

Note: The City Commission adjourned the regular meeting at 9:59 p.m. and returned to the conference meeting agenda, Commission Reports, from 9:59 p.m. to 10:21 p.m.

---

John P. "Jack" Seiler  
Mayor

ATTEST:

---

Jonda K. Joseph  
City Clerk