

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
FEBRUARY 15, 2011

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
February 15, 2011**

Meeting was called to order at 6:14 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 (arrived momentarily)
Commissioner Charlotte E. Rodstrom
Commissioner Bobby B. DuBose (arrived momentarily)
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 Sergeants Monica Ferrer and Jeff Brull

Invocation was offered by Pastor Kito March, Mount Nebo Baptist Church, followed by the recitation of the pledge by Barbra Stern.

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 Rodstrom and seconded by Commissioner Roberts to approve the minutes of the January 4, 2011 Conference Meeting and January 19, 2011 Regular Meeting. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

Commissioner DuBose was not present for this vote. He arrived at the meeting at approximately 6:16 p.m.

Presentations

1. **JIMMY EVERT TENNIS CENTER MEN'S 3.5 TEAM -** (PRES-02)
3RD IN NATIONAL CHAMPIONSHIP

Commissioner Rodstrom presented a commendation to the Jimmy Evert Tennis Center's United States Tennis Association Men's 3.5 Team for placing third at the National Championship in Arizona. Kelly Painter, Co-Captain, thanked the Commission and the Jimmy Evert Tennis Center for their support, and the team for their effort.

2. 22ND NATIONAL AFRICAN AMERICAN READ-IN MONTH - FEBRUARY, 2011 (PRES-01)

Commissioner DuBose presented a proclamation designating February, 2011 as African-American Read-In Month in the City in honor of Black History Month to Barbara Barber, Community Programming Supervisor, Parks and Recreation Department. Ms. Barber thanked Chaz Adams and Petula Burks, both of the Public Information Office, for participating in Read-In with students in after-school programs. She expressed excitement about more City staff participation throughout this month.

3. COMMUNITY APPEARANCE BOARD – WOW AWARD-DISTRICT II (PRES-03)

Commissioner Rodstrom recognized David Griffith who resides in Middle River Terrace as the recipient of the WOW Award for District II.

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.

The City Clerk announced that items M-17 and M-19 were removed from the agenda

EVENT AGREEMENT - FLORIDA AIDS WALK CLOSING EAST LAS OLAS BOULEVARD AND STREETS ALONG ROUTE (M-01)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with AIDS Healthcare Foundation, Inc. for Florida AIDS Walk, to be held March 20, 2011, 8 AM - 1:30 PM, at Huizenga Plaza and downtown and beach area streets and sidewalks and closing city streets along route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0189

**EVENT AGREEMENT - CHESAPEAKE LIGHT CRAFT
CUSTOMER APPRECIATION (M-02)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Chesapeake Light Craft, LLC for Chesapeake Light Craft Customer Appreciation event, to be held February 19, 2011, 9 AM - 5 PM, at George English Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0192

**EVENT AGREEMENT - SISTRUNK PARADE
CLOSING NW 9 AVENUE (M-03)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Sistrunk Historical Festival, Inc. for Sistrunk Parade, to be held February 26, 2011, 8:30 AM - 11 AM and closing NW 9 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0195

**EVENT AGREEMENT - WALK FOR ANIMALS
CLOSING CITY STREETS ALONG ROUTE AND CO-SPONSOR (M-04)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Humane Society of Broward County, Inc. for Walk for the Animals, to be held March 5, 2011, 8 AM - 12 Noon, at Huizenga Plaza; closing city streets along route and approving co-sponsorship to allow banners, subject to permitting regulations.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0212

**EVENT AGREEMENT - ST. PATRICK'S DAY CELEBRATION
CLOSING SOUTH NEW RIVER DRIVE (M-05)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with It's Only Zero's, Inc. for St. Patrick's Day Celebration, to be held March 17, 2011, 12 Noon - to 10

PM, at the Downtowner and on South New River Drive and closing South New River Drive.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0190

EVENT AGREEMENT - OUR LADY QUEEN OF MARTYRS (M-06)
SPRING CARNIVAL CLOSING SW 11 COURT

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Our Lady Queen of Martyrs Church, a parish of Archdiocese of Miami, Inc., for Spring Carnival, to be held March 10-13, 2011 and closing SW 11 Court.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0133

EVENT AGREEMENT - ST. PATRICK'S DAY CELEBRATION (M-07)
CLOSING ALLEY BEHIND MAGUIRE'S HILL

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Cilldara Inc. for St. Patrick's Day celebration to be held March 16, 2011, 5 PM - 12 Midnight and March 17, 2011, 7 AM - 12 Midnight, at Maguire's Hill 16, 535 North Andrews Avenue and closing the alley running parallel to Andrews Avenue behind Maguire's Hill between their property lines.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0193

EVENT AGREEMENT - WALK FOR THE ANIMALS AFTER PARTY - (M-08)
CLOSING SW 2 AVENUE

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Tarpon Bend Food and Tackle Riverwalk, Ltd. for Walk for the Animals After Party, to be held March 5, 2011, 11:30 AM - 5 PM and closing SW 2 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0194

EVENT AGREEMENT - SHOW 'N' SHINE XXVIII**(M-09)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with South Florida Gold Coast Volkswagen Club, Inc. for Show 'N' Shine XXVIII to be held March 27, 2011, 8 AM - 4 PM, at Mills Pond Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0197

EVENT AGREEMENT - RIVER OAKS RECYCLING YARD SALE**(M-10)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with River Oaks Civic Association, Inc. for River Oaks Recycling Yard Sale, to be held March 26, 2011, 8 AM - 2 PM, at Gore Betz Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0198

**EVENT AGREEMENT - MARCH FOR CANCER
CLOSING CITY STREETS ALONG ROUTE****(M-11)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Redline Media Group, LLC for March For Cancer, to be held March 5, 2011, 5:30 AM - 12 Noon, at Birch State Park and beach area streets and closing city streets along route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0200

EVENT AGREEMENT - ART AND JAZZ IN VICTORIA PARK**(M-12)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Victoria Park Civic Association, Inc. for Art and Jazz in Victoria Park, to be held March 27, 2011, 12 Noon - 4 PM, at Victoria Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0213

EVENT AGREEMENT - ST. PATRICK'S DAY ON 2ND STREET (M-13)
CLOSING SW 2 STREET AND SW 2 AVENUE

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Downtown Himmarshee Village Association, Inc. for St. Patrick's Day on 2nd Street, to be held March 17, 2011, 6 PM - 12 Midnight and closing SW 2 Street and SW 2 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0221

CO-SPONSORSHIP - FORT LAUDERDALE MUSEUM OF ART – (M-14)
VATICAN SPLENDORS EXHIBIT

No budgetary impact.

A motion approving co-sponsorship of Vatican Splendors exhibit at Fort Lauderdale Museum of Art, to allow installation of light pole banners February 16, 2011 through May 9, 2011 at specified locations, subject to permitting regulations.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0222

GRANT APPLICATION - FLORIDA COMMUNITIES TRUST – (M-15)
RIVERMONT HOUSE - \$1,908,780 – FLORIDA FOREVER PARKS AND
OPEN SPACE PROGRAM

No current year budgetary impact. Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to apply for Florida Communities Trust funding, in the amount of \$1,908,780 from Florida Forever Parks and Open Space Program - Rivermont House acquisition – 1016 Waverly Road.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0224

CHANGE ORDER 12 - CARDINAL CONTRACTORS, INC. - \$976,668.79 (M-16)
LOHMEYER WASTEWATER TREATMENT PLANT –
ADD 160 CALENDAR DAYS

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to 1) execute Change Order 12 with Cardinal Contractors, Inc., doing business as Widell, Inc., formerly doing business as Widell Associates, Inc. and formerly known as Widell, Inc., in the amount of \$976,668.79, and the addition of 160 calendar days to contract period for additional work at Lohmeyer Wastewater Treatment Plant - Influent Chamber - Project 10541B and 2) transfer \$976,668.79 to fund change order and \$68,366.82 to fund associated 7 percent engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0114

CHANGE ORDER 4 - MBR CONSTRUCTION, INC. - \$10,828.74 – (M-17)
ADD 23 DAYS - PETER FELDMAN PARK

Please see funding details attached to these minutes.

A motion authorizing Change Order 4 with MBR Construction, Inc., in the amount of \$10,828.74 - additional work - Peter Feldman Park (a/k/a Flagler Heights Park) and the addition of 23 days to contract period - Project 11305.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0187

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

CONTRACT EXTENSION - URS CORPORATION SOUTHERN (M-18)
COASTAL ENGINEERING CONSULTANT SERVICES

There is no cost to extend contract for one-year. Spending is contingent upon the available budget in the particular project at the time the purchase is made.

A motion authorizing the proper City Officials to execute first one-year extension to agreement with URS Corporation Southern - coastal engineering consultant services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0027

CONTRACT EXTENSION - WEEKLEY ASPHALT PAVING, INC. - \$630,000 (M-19)
**ANNUAL ASPHALTIC CONCRETE PAVEMENT SURFACING-
STREET RESURFACING**

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to execute one-year extension to contract with Weekley Asphalt Paving, Inc., in the amount of \$630,000 - 2011-2012 Annual Asphaltic Concrete Pavement Surfacing Contract - street resurfacing - Project 11649.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0185

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

TASK ORDER 08-21 - HAZEN AND SAWYER, P.C. - \$33,861 (M-20)
DIXIE WELLFIELD WELL ABANDONMENT

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to execute Task Order 08-21 with Hazen and Sawyer, P.C., in the amount of \$33,861 - engineering services associated with Dixie Wellfield Well abandonment - Project 11399.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0120

CONTRACT AWARD - SUN-UP ENTERPRISES INC. - \$34,407.56 (M-21)
**ENTRANCE ISLAND AND STREET SIGNS - BAL HARBOUR
NEIGHBORHOOD IMPROVEMENTS**

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to award and execute contract with Sun-Up Enterprises Inc., in the amount of \$34,407.56 - construction of entrance island extension and decorative street signs – Bal Harbour Homeowners Association, Inc. - Neighborhood Capital Improvement Program - Project 11599.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0121

CONTRACT AWARD - MBR CONSTRUCTION, INC. - \$137,222.59 (M-22)
NORTH BEACH ENTRANCEWAY MONUMENTS –
BUSINESS CAPITAL IMPROVEMENT PROGRAM

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to award and execute contract with MBR Construction, Inc., in the amount of \$137,222.59 - construction of three entranceway monuments and \$22,327.55 for contingencies and necessary testing - North Beach Restaurants and Shoppes, Inc. - Business Capital Improvement Program - Project 11244.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0142

CONTRACT AWARD - MBR CONSTRUCTION, INC. - \$125,100 (M-23)
FLEET SERVICES GARAGE IMPROVEMENTS

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to award and execute contract with MBR Construction, Inc., in the amount of \$125,100 plus 7 percent engineering fees and 10 percent contingencies - Fleet Services Garage Improvements Contract - Project 11474.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0188

TRANSFER FUNDS - CITY MANAGER CANDIDATE INTERVIEWS – (M-24)
TRAVEL EXPENSES - \$6,000

Please see funding details attached to these minutes.

A motion approving transfer of \$6,000 from City Manager Administration Account for travel expenses – city manager candidate interviews.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0262

CONSENT RESOLUTION

AMEND OPERATING BUDGET - APPROPRIATION - \$18,000 (CR-01)
FITNESS AND WELLNESS CLASSES

Please see funding details attached to these minutes.

A resolution amending fiscal year 2010 - 2011 final operating budget by appropriating \$18,000, in revenue and expenses - increase contract expenditure - additional fitness and wellness classes at Beach Community Center.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0128

RESOLUTION NO. 11-40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY APPROPRIATING \$18,000 IN REVENUE AND EXPENSES FOR AN INCREASE IN EXPENDITURE IN THE CONTRACT FOR THE FITNESS AND WELLNESS CLASSES AT THE BEACH COMMUNITY CENTER AS SET FORTH IN THE ATTACHED EXHIBIT.

GRANT ACCEPTANCE - HORTT PARK - \$75,000
LAND STEWARDSHIP PROGRAM - PARKS FOR PEOPLE

(CR-02)

Please see funding details attached to these minutes.

A resolution 1) accepting Land Stewardship Program Parks for People grant funds, in the amount of \$75,000, from Broward County - Hortt Park, 2) amending fiscal year 2010-2011 final operating budget, by accepting and appropriating funds to project and 3) authorizing proper City Officials to execute all necessary documents to obtain funding.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0175

RESOLUTION NO. 11-41

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF LAND STEWARDSHIP PROGRAM PARKS FOR PEOPLE GRANT FUNDS IN THE AMOUNT OF \$75,000 FROM BROWARD COUNTY FOR HORTT PARK; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

GRANT ACCEPTANCE - LEWIS LANDING PARK - \$75,000
LAND STEWARDSHIP PROGRAM - PARKS FOR PEOPLE**(CR-03)**

Please see funding details attached to these minutes.

A resolution 1) accepting Land Stewardship Program Parks for People grant funds, in the amount of \$75,000, from Broward County - Lewis Landing Park, 2) amending fiscal year 2010-2011 final operating budget, by accepting and appropriating funds to project and 3) authorizing proper City Officials to execute all necessary documents to obtain funding.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0176

RESOLUTION NO. 11-42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF LAND STEWARDSHIP PROGRAM PARKS FOR PEOPLE GRANT FUNDS IN THE AMOUNT OF \$75,000 FROM BROWARD COUNTY FOR LEWIS LANDING PARK; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

GRANT ACCEPTANCE - SOUTH MIDDLE RIVER PARK - \$75,000
LAND STEWARDSHIP PROGRAM - PARKS FOR PEOPLE**(CR-04)**

Please see funding details attached to these minutes.

A resolution 1) accepting Land Stewardship Program Parks for People grant funds, in the amount of \$75,000, from Broward County - South Middle River Park, 2) amending fiscal year 2010-2011 final operating budget, by accepting and appropriating funds to project and 3) authorizing proper City Officials to execute all necessary documents to obtain funding.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0177

RESOLUTION NO. 11-43

A RESOLUTION OF THE CITY COMMISSION OF THE

CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF LAND STEWARDSHIP PROGRAM PARKS FOR PEOPLE GRANT FUNDS IN THE AMOUNT OF \$75,000 FROM BROWARD COUNTY FOR SOUTH MIDDLE RIVER PARK; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

GRANT ACCEPTANCE - HARBORDALE PARK - \$50,000 (CR-05)
LAND STEWARDSHIP PROGRAM - PARKS FOR PEOPLE

Please see funding details attached to these minutes.

A resolution 1) accepting Land Stewardship Program Parks for People grant funds, in the amount of \$50,000, from Broward County - Harbordale Park, 2) amending fiscal year 2010-2011 final operating budget, by accepting and appropriating funds to project and 3) authorizing proper City Officials to execute all necessary documents to obtain funding.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0179

RESOLUTION NO. 11-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF LAND STEWARDSHIP PROGRAM PARKS FOR PEOPLE GRANT FUNDS IN THE AMOUNT OF \$50,000 FROM BROWARD COUNTY FOR HARBORDALE PARK; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

GRANT ACCEPTANCE - PETER FELDMAN PARK - \$50,000 (CR-06)
LAND STEWARDSHIP PROGRAM - PARKS FOR PEOPLE

Please see funding details attached to these minutes.

A resolution 1) accepting Land Stewardship Program Parks for People grant funds, in the amount of \$50,000, from Broward County - Peter Feldman Park, 2) amending fiscal year 2010-2011 final operating budget, by accepting and appropriating funds to project and 3) authorizing proper City Officials to execute all necessary documents to obtain funding.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0180

RESOLUTION NO. 11-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF LAND STEWARDSHIP PROGRAM PARKS FOR PEOPLE GRANT FUNDS IN THE AMOUNT OF \$50,000 FROM BROWARD COUNTY FOR PETER FELDMAN PARK; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

GRANT ACCEPTANCE - GORE BETZ PARK - \$75,000
LAND STEWARDSHIP PROGRAM - PARKS FOR PEOPLE

(CR-07)

Please see funding details attached to these minutes.

A resolution 1) accepting Land Stewardship Program Parks for People grant funds, in the amount of \$75,000, from Broward County - Gore Betz Park, 2) amending fiscal year 2010-2011 final operating budget, by accepting and appropriating funds to project and 3) authorizing proper City Officials to execute all necessary documents to obtain funding.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0181

RESOLUTION NO. 11-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF LAND STEWARDSHIP PROGRAM PARKS FOR PEOPLE GRANT FUNDS IN THE AMOUNT OF \$75,000 FROM BROWARD COUNTY FOR GORE BETZ PARK; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING;

AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY ACCEPTING AND APPROPRIATING GRANT REVENUE FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

CHANGE ORDER 1 - SOLUTION CONSTRUCTION, INC. - \$24,365 (CR-08)
SOUTH ANDREWS AVENUE WATER MAIN IMPROVEMENTS

Please see funding details attached to these minutes.

A motion authorizing 1) Change Order 1 with Solution Construction, Inc., in the amount of \$24,365 - additional work - South Andrews Avenue Water Main Improvements - Project 10815 and 2) a resolution amending fiscal year 2010-2011 final operating budget by appropriating \$24,365 to fund change order and \$2,923.80 to fund 12 percent estimated engineering fees.

Recommend: Motion to approve and adopt resolution.

Exhibit: Commission Agenda Report 11-0161

RESOLUTION NO. 11-47

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.

AMEND OPERATING BUDGET - APPROPRIATION - \$120,000 (CR-09)
SEWER PUMP STATION - ELECTRICAL COMPONENTS AND CONTROLS

Please see funding details attached to these minutes.

A resolution amending fiscal year 2010-2011 final operating budget by appropriating \$120,000 to purchase sewer pump station-electrical components and controls.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0182

RESOLUTION NO. 11-48

A RESOLUTION OF THE CITY COMMISSION OF THE

CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011, BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED AND PROVIDING FOR AN EFFECTIVE DATE.

CHANGE ORDER 2 - INTERCOUNTY ENGINEERING INC. – (CR-10)
ADD 12 CALENDAR DAYS - PUMP STATION UPGRADE - \$35,257.23

Please see funding details attached to these minutes.

A motion authorizing 1) Change Order 2 with Intercounty Engineering Inc., in the amount of \$35,257.23 - additional work - Phase II Pump Station Upgrade - Pump Stations A14, A40, B9, D33, D35, and D36 - Project 11111 and the addition of 12 calendar days to contract period and 2) resolution amending fiscal year 2010-2011 final operating budget by appropriating \$35,257.23 to fund this change order and \$4,230.87 to fund 12 percent estimated engineering fees.

Recommend: Motion to approve and adopt resolution.

Exhibit: Commission Agenda Report 11-0205

RESOLUTION NO. 11-49

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.

REVOCABLE LICENSE - CENTRAL FLORIDA EQUIPMENT RENTALS INC. –(CR-11)
\$12,000 - STAGING MATERIALS AND EQUIPMENT –
SISTRUNK STREETScape AND ENHANCEMENT*

Please see funding details attached to these minutes.

A resolution authorizing the proper City Officials to execute 1) Revocable License Agreement with Central Florida Equipment Rentals Inc. to permit staging of materials and equipment on City-owned property - Sistrunk Streetscape and Enhancement Project and 2) amending fiscal year 2010-2011 final operating budget by appropriating \$12,000 (\$1,000 per month revenue, received as rent).

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0165

RESOLUTION NO. 11-

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; APPROVING AND AUTHORIZING EXECUTION OF A REVOCABLE LICENSE BETWEEN THE CITY AND CENTRAL FLORIDA EQUIPMENT RENTALS, INC. ASSOCIATED WITH THE SISTRUNK BOULEVARD PROJECT AND PROVIDING FOR AN EFFECTIVE DATE.

*This Commission Agenda Report (11-0165) was revised in accordance with Memorandum 11-029 (authorizing agreement only), which is attached to these minutes.

TERMINATION OF LEASES - SOUTHERN FACILITIES - PARCELS B, C AND D EXECUTIVE AIRPORT

(CR-12)

No budgetary impact.

Resolutions authorizing the proper City Officials to terminate leases with Southern Facilities Development LLC formerly Southern Facilities Development Inc. for Parcels B, C and D at Executive Airport.

Recommend: Adopt resolutions terminating leases for: 1) Parcel B, 2) Parcel C and 3) Parcel D.

Exhibit: Commission Agenda Report 11-0210

RESOLUTION – PARCEL B

RESOLUTION NO. 11-50

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO TERMINATE THE LEASE OF PARCEL B AT FORT LAUDERDALE EXECUTIVE AIRPORT WITH SOUTHERN FACILITIES DEVELOPMENT, LLC, FORMERLY SOUTHERN FACILITIES DEVELOPMENT, INC., AND AUTHORIZING EXECUTION OF ALL DOCUMENTS NECESSARY TO TERMINATE THE LEASE FOR PARCEL B.

RESOLUTION – PARCEL C

RESOLUTION NO. 11-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO TERMINATE THE LEASE OF PARCEL C AT FORT LAUDERDALE EXECUTIVE AIRPORT WITH SOUTHERN FACILITIES DEVELOPMENT, LLC, FORMERLY SOUTHERN FACILITIES DEVELOPMENT, INC., AND AUTHORIZING EXECUTION OF ALL DOCUMENTS NECESSARY TO TERMINATE THE LEASE FOR PARCEL C.

RESOLUTION – PARCEL D

RESOLUTION NO. 11-52

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO TERMINATE THE LEASE OF PARCEL D AT FORT LAUDERDALE EXECUTIVE AIRPORT WITH SOUTHERN FACILITIES DEVELOPMENT, LLC, FORMERLY SOUTHERN FACILITIES DEVELOPMENT, INC., AND AUTHORIZING EXECUTION OF ALL DOCUMENTS NECESSARY TO TERMINATE THE LEASE FOR PARCEL D.

**AMEND OPERATING BUDGET - APPROPRIATION - \$10,000
SPONSORSHIP - CENTENNIAL CELEBRATION**

(CR-13)

Please see funding details attached to these minutes.

A resolution amending fiscal year 2010-2011 final operating budget by appropriating \$10,000 in cash sponsorship received from Hazen and Sawyer for sponsorship of Centennial Celebration.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0211

RESOLUTION NO. 11-53

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.

BANK SIGNATORY AUTHORIZATION**(CR-14)****No budgetary impact.**

A resolution rescinding Resolution 10-09, thereby removing Lynda C. Flynn, Interim Director of Finance, as bank signatory and authorizing Douglas Wood, Director of Finance, and Gloria LeClaire, Controller, as new bank signatories and Donald Halquist, Senior Accountant, to continue as signatory.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0174

RESOLUTION NO. 11-54

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 4.01(c) OF THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING DOUGLAS WOOD, DIRECTOR OF FINANCE, GLORIA LECLAIRE, CONTROLLER, AND DON HALQUIST, SENIOR ACCOUNTANT, INDIVIDUALLY TO SIGN CHECKS FOR THE PAYMENT OF MONEY BY THE CITY OF FORT LAUDERDALE, PRESCRIBING THAT SUCH EMPLOYEES SHALL BE UNDER FIDELITY BOND IN THE AMOUNT OF \$500,000, RESCINDING RESOLUTION NO. 10-09 AND ANY OTHER RESOLUTION OR PART OF ANY RESOLUTION IN CONFLICT HERewith, AND PROVIDING FOR AN EFFECTIVE DATE.

**OTHER POST EMPLOYMENT BENEFITS (OPEB) –
\$1 MILLION FOR FISCAL YEAR 2009-2010 AND \$1 MILLION FOR
FISCAL YEAR 2010-2011****(CR-15)****Please see funding details attached to these minutes.**

A resolution transferring \$1 million from fiscal year 2009-2010 Undesignated Fund Balance to Fund Balance Reserve and moving \$1 million budgeted in fiscal year 2010-2011 to Fund Balance Reserve at fiscal year end - Other Post Employment Benefits Liability.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0232

RESOLUTION NO. 11-55

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TRANSFERRING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010, AS SET FORTH IN THE ATTACHED EXHIBIT, DESIGNATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011, AND PROVIDING FOR AN EFFECTIVE DATE.

PURCHASING AGENDA

595-10241 - SATURDAY NITE ALIVE SIGNATURE EVENT - \$157,920 (PUR-01)
AMENDMENT AND EXTENSION OF CONTRACT

Please see funding details attached to these minutes.

Amendment and extension of contract with Wizard Entertainment, Inc. to create, operate and promote a sustainable signature event - Beach Business Improvement District - Saturday Nite Alive - presented for approval by Economic Development Department.

Recommend: Motion to approve.
Vendor: Wizard Entertainment, Inc.
Fort Lauderdale, FL
Amount: \$157,920
Exhibit: Commission Agenda Report 11-0108

The Procurement Services Department has reviewed this item and recommends amending and extending the contract.

712-10693 - UTILITY BILLING CUSTOMER SERVICE (PUR-02)
CALL CENTER UPGRADE - \$28,883.90

Please see funding details attached to these minutes.

Purchase software, installation services and training to upgrade Utility Billing Customer Service telephone system - presented for approval by Information Technology Services Department.

Recommend: Motion to approve.
Vendor: Presidio Networked Solutions, Inc. Prosys Information Systems, Inc.
Greenbelt, MD Norcross, GA

Amount: \$28,883.90
Bids Solicited/Rec'd: 1931/6

Exhibit: Commission Agenda Report 11-0141

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

512-10698 - VEHICLE REPLACEMENTS - \$544,455

(PUR-03)

Please see funding details attached to these minutes.

Purchase twenty-two replacement vehicles identified in 2010-2011 Fleet Plan and one total loss accident replacement vehicle for a total of twenty-three vehicles -presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Maroone Ford, LLC
Fort Lauderdale, FL

Amount: \$544,455.00

Bids Solicited/Rec'd: 315/5

Exhibit: Commission Agenda Report 11-0201

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

**505-10521 - CANCELLATION AND RE-AWARD OF
JANITORIAL SERVICES - \$99,400.50**

(PUR-04)

Please see funding details attached to these minutes.

Cancel award and issue one-year suspension to American Facility Services, Inc. for janitorial services and re-award one-year contract with three, one-year renewal options to Perm-A-Care Janitorial Services, Inc., second ranked proposer, after successful ninety-day trial period - presented for approval by Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Perm-A-Care Janitorial Services, Inc.
Boynton Beach, FL

Amount: \$99,400.50 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 11-0208

The Procurement Services Department has reviewed this item and recommends cancellation, suspension and re-award.

The following items were removed from the Consent Agenda:

Motion made by Commissioner Roberts and seconded by Commissioner Rodstrom that Consent Agenda Items CR-06, CR-12, CR-15, PUR-01, PUR-02, PUR-03, and PUR-04 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended.

The City Clerk announced that item CR-11 has been revised to a motion only in accordance with Memorandum 11-029 (authorizing agreement only). See page 16

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

GRANT ACCEPTANCE - PETER FELDMAN PARK - \$50,000 (CR-06)
LAND STEWARDSHIP PROGRAM - PARKS FOR PEOPLE

In response to Commissioner Roberts, Phil Thornburg, Parks and Recreation Director, explained these are Broward County grant funds specific to Peter Feldman Park. The funds must be used at the park. This item is to purchase a canopy for the playground, but the grant can be used for landscaping as well. Commissioner Roberts wanted to meet with Mr. Thornburg to ensure that grant funds are not utilized on items that are covered by other funding sources.

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

TERMINATION OF LEASES - SOUTHERN FACILITIES – (CR-12)
PARCELS B, C AND D EXECUTIVE AIRPORT

This item was removed from the agenda by Alan Koslow, representing Southern Facilities Development LLC (SFD) for the purpose of requesting a 30-day deferral. Mr. Koslow assured that Southern Facilities has fedexed the lobbyist registration fee, and the application itself was hand-delivered. He also gave assurance that he will earnestly endeavor to resolve any and all outstanding matters.

Clara Bennett, Executive Airport Manager, reviewed Commission Agenda Report 11-0210. In order to make the new amended and restated leases effective, numerous documents must be executed by SFD and Broward County (County), and an application must be submitted and approved by the County to amend the development permits. Staff has spent a number of years to resolve these issues. The County offered SFD opportunities through July, 2010 to settle the environmental mitigations and to address compliance issues with environmental resource permits and license. But, SFD did not take action so a hearing ensued and a final order was issued. She expressed concern about jeopardizing the positive working relationship staff established with the County if these matters are continually delayed. She elaborated upon the previously negotiated terms, and wanted assurance that Mr. Koslow would agree to them within the thirty days.

In response to Vice Mayor Rogers, Ms. Bennett indicated that other parties have expressed interest in the property; but development cannot be addressed until SFD's non-compliance is addressed. The permits the City received as co-permittees with SFD are not in compliance. If SFD remains non-compliant, the City will have to bear the clean-up costs. She was not certain of the County's position with respect to a 30-day deferral and their willingness to work with the City during the time needed to correct the matter. In further response to Vice Mayor Rogers' question as to a plan of action if the termination is approved, Ms. Bennett indicated that a consultant has provided a preliminary report on how to deal with the County's issues that include paying the fines noted in the final order of about \$46,000 and meet with the County staff to establish a schedule for moving forward. She provided more detail concerning Parcels C and D. She noted her close work with the City Attorney's office to bring final resolution of these issues to SFD. However, SFD has not acknowledged in writing their failure to meet the deadlines and so forth. The City provided SFD multiple notifications, including a notice of default and an explanation of necessary steps to bring the leases into compliance which were not addressed.

Commissioner Roberts thought SFD is using delay tactics and expressed discomfort about granting a deferral. The City has failed to collect over \$880,000 in rent; and 2007, 2008 and 2009 property taxes have not been paid. He was uncomfortable granting a deferral. He questioned if other properties in the area will be impacted if the environmental remediation is not done. Ms. Bennett explained the primary mitigation concerns are the non-compliant environmental resource licenses and permits because the City cannot develop the property without them. Those are three years into a five-year cycle. Staff has attempted to develop a global settlement with the County and SFD that would cure the violations and bring them into compliance. But, she did not hear of SFD's willingness to properly execute the leases and obtain County consent to all of the required documents until yesterday when Mr. Koslow contacted her. In further response, she explained the original leases included credits for off-site mitigation, but a subsequent amendment offered credits for onsite and offsite mitigation. The amount used for onsite mitigation was reduced from the rent because that portion of the property cannot be developed. SFD still has not paid the rent.

In response to Vice Mayor Rogers, Ms. Bennett indicated there is no global settlement agreement but there is an email from the County staff that proposed a methodology for settling all of the issues. SFD was given two weeks to accept that offer (July of 2010) from the County, but did not. This precipitated the hearing and final order. The City Attorney thought granting SFD a deferral and negotiating a global settlement would be a waste of time, based on their past actions. He believed Mr. Koslow is the fourth attorney retained by SFD. Mr. Koslow indicated he has reviewed the information provided and he does not see any issue that could not be resolved in 30 days. He did not wish to negotiate in a public setting. He indicated that Ms. Bennett received an email confirming that he was hired with full authority to get this done. He added that he has some authority to go above the individual who hired him.

Vice Mayor Rogers expressed willingness to grant a deferral. The City Attorney maintained that it is in writing, it is global and it is not done. He suggested the 30-day deferral be offered with the condition that SFD pay the unpaid taxes or rent. In response to Mayor Seiler, Ms. Bennett advised that there are taxes owing on Parcels B and C for 2007 through 2009, totaling \$333,576.32. The 2010 taxes will be due in March, adding

\$115,114.29 for a total of \$448,690.61. Mr. Koslow reiterated his refusal to negotiate in public. If the taxes are due, it will be provided in the agreement. He felt the property tax issue will be resolved. The same would apply with respect to the rent. Commissioner Roberts did not see any reason to negotiate because the money is owed. Mr. Koslow claimed that the agreements must be reviewed to determine what is owed. He felt the City would attempt to resolve this. In response to Vice Mayor Rogers, Mr. Koslow advised that the City is exempt from property taxation because it owns the land. The issue is whether there is any taxation because there is a lease on property that was never developed. There are many cases where it has been determined no taxes are due because development did not occur or for other reasons. In all leases, tenants have the right to protest the tax bill. Mayor Seiler asked what parties need to agree on the issues of taxes and the lease payments. Mr. Koslow believed it is only the City and SFD. In further response, Ms. Bennett noted these are the ad valorem taxes due the County. She explained the original leases with SFD are in default, and none of the current amended and restated leases are effective because they have conditions precedent to their effectiveness and do not have County approval. She provided some detail about the conditions. She confirmed for Mayor Seiler that she has not dealt with Mr. Koslow on this property until yesterday.

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

OTHER POST EMPLOYMENT BENEFITS (OPEB) –
\$1 MILLION FOR FISCAL YEAR 2009-2010 AND \$1 MILLION FOR
FISCAL YEAR 2010-2011

(CR-15)

In response to Commissioner Rodstrom, Doug Wood, Finance Director, explained the \$1 million in the undesignated fund balance in 2009-2010 was added into the 2009-2010 budget for the general fund. A timeline was not established as to when that transaction would occur last year and this year. This request is to book it for last year so the audit can move forward, and to establish a timeline for when it can be booked this year and in the future. In further response, he clarified that the undesignated fund balance represents available funds; it is not the reserve. Being that the \$1 million was in the undesignated fund balance last year, Commissioner Rodstrom reasoned that these funds were essentially not available. Mr. Wood concurred and explained that the \$1 million is not being spent; rather, it is being isolated for OPEB. Based on the last actuarial study, OPEB is a little over \$62 million. The City is beginning to fund this with the intention of \$1 million each year. Failure to book the funds last year did not result in a loss. Commissioner Rodstrom thought there was a 2 percent loss because the \$1 million was not moved when it was supposed to occur. The City Auditor explained that the interest earnings on the \$1 million would have been lost if it had been set aside because, when the interest is allocated toward the fund balance, it is not necessarily set aside to go along with OPEB. Probably, the \$1 million, plus the allocated interest for the year, should have been moved to OPEB. He believed the interest to be approximately 1.5 to 2 percent. Mr. Wood noted that the interest was still earned interest; it was just not assigned there. In response to Commissioner Rodstrom, he assured that it will be properly assigned in the future.

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

595-10241 - SATURDAY NITE ALIVE SIGNATURE EVENT - \$157,920 (PUR-01)
AMENDMENT AND EXTENSION OF CONTRACT

In response to Vice Mayor Rogers, Dan Barnett, representing Wizard Entertainment, explained that tri-county residents and in-town tourists and visitors are the targeted market. There is no aim for a specific age group; but, mostly families attend during the day, and an older group at night. He contributed the event's success to Fort Lauderdale beach being a great destination. He elaborated upon the marketing tools utilized.

Fred Carlson, representing Central Beach Alliance, expressed support of the event. He pointed out the need for more parking in the beach area and elaborated upon specific locations for it. In response to Vice Mayor Rogers, he noted that he has not received any resident complaints about noise related to this event.

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

712-10693 - UTILITY BILLING CUSTOMER SERVICE (PUR-02)
CALL CENTER UPGRADE - \$28,883.90

Commissioner Roberts advised he removed this item from the consent agenda to thank staff for implementing this program.

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

512-10698 - VEHICLE REPLACEMENTS - \$544,455 (PUR-03)

Vice Mayor Rogers referred to Vehicle V9385 (2005 Ford Crown Vic Police Interceptor K9 Unit) in Exhibit 3, page 101, of Commission Agenda Report 11-0201. He noted that the vehicle only has 30,000 miles, and that maintenance costs and downtime hours are below or equal to average. Diana Alarcon, Director of Parking and Fleet Services, explained that there is a deadline for this replacement because Crown Vics will not be made after March 1.

Police Lieutenant Jonathan Appel explained that, in the past, K9 vehicles were replaced every two years because of engine failure concerns that could affect the police dog's safety. Currently, the vehicles are used for as long as six years. He recalled instances where police dogs were lost due to engine failure. In response to Vice Mayor Rogers, he

expressed concern about this vehicle's mileage and matrix score. In further response, Ms. Alarcon explained the scheduled replacement for this fiscal year is based on the Crown Vic production deadline. The City Auditor thought the police department had determined that Chevrolet Tahoes are more suitable K9 vehicles. Lieutenant Appel noted it will be some time before the Tahoes can be ordered, and reiterated his concern about engine failure of this vehicle. The Crown Vic's reliability is proven; but, he agreed the Tahoes could prove to be better in the future. In light of the Crown Vic production deadline, he recommended this vehicle be replaced now.

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

**505-10521 - CANCELLATION AND RE-AWARD OF
JANITORIAL SERVICES - \$99,400.50**

(PUR-04)

Commissioner Roberts indicated he no longer has a question on this item.

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

MOTIONS

**PROPRIETARY - DELINQUENT PARKING CITATION COLLECTION
SERVICES - \$102,000 - EXTENSION RETROACTIVE AGREEMENT**

(MD-01)

Please see funding details attached to these minutes.

Award extension retroactive agreement, in substantially the form provided - delinquent parking citation collection services is being presented for approval by Parking and Fleet Services Department.

Recommend:	Motion to approve.
Vendor:	Law Enforcement Systems, LLC Long Island City, NY
Amount:	22% (Commission Fee)
Bids Solicited/Rec'd:	N/A
Exhibit:	Commission Agenda Report 11-0148

Motion made by Commissioner Rodstrom and seconded by Commissioner Roberts to approve the item as presented.

In response to Commissioner DuBose, Diana Alarcon, Director of Parking and Fleet Services, explained that the City adds a 22 percent fee when (a citation) goes to

collections which is currently paid by the consumer. But, in the past, the City incurred that 22 percent which explains why the City currently is paid approximately 90 percent of the collection fees, rather than 100 percent. She confirmed that the current method is more beneficial to the City as it offers a significant savings.

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

PROPRIETARY - INCREASE IN EXPENDITURE – FITNESS CLASSES AND WELLNESS - \$18,000 (MD-02)

Please see funding details attached to these minutes.

Increase contract expenditure in estimated amount of \$18,000 - fitness and wellness classes at Beach Community Center - presented for approval by Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: North Broward Hospital District d/b/a Broward Health
Fort Lauderdale, FL

Amount: \$18,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 11-0214

Motion made by Commissioner DuBose and seconded by Vice Mayor Rogers, to approve the item as presented.

In response to Vice Mayor Rogers, Phil Thornburg, Parks and Recreation Director, confirmed that this item is a wash. In light of additional revenue, the expenditures increased as well.

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

PROPRIETARY - ALERTING SYSTEM - \$224,386.40 (MD-03)
FIRE STATIONS 35 AND 46 - 1841 EAST COMMERCIAL BOULEVARD AND 1121 NW 9 AVENUE

No budgetary impact.

Certificate of Public Convenience and Necessity for Rental Cars with Chauffeurs and, or Sightseeing Vehicles.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0033

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

RESOLUTIONS

**DISPOSITION OF CITY OWNED PROPERTY - 1300 SE 10 AVENUE – (R-01)
EVERGREEN CEMETERY**

No budgetary impact.

A resolution 1) declaring a small, vacant parcel of City owned property shown on Evergreen Cemetery Third Addition Plat as surplus - 1300 SE 10 Avenue - Evergreen Cemetery, 2) authorizing proper City Officials to proceed with bidding process for sale of property and 3) setting a minimum bid of \$4,400 – all closing costs to be paid by successful bidder.

Recommend: Introduce resolution.

Exhibit: Commission Agenda Report 10-1743

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 11-35

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING CERTAIN PROPERTY, DESCRIBED BELOW, NOT NEEDED FOR PUBLIC USE PURSUANT TO CITY CHARTER SECTION 8.04 AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE CITY THAT SUCH PROPERTY BE OFFERED FOR SALE FOR A MINIMUM BID OF \$4,400, WITH BIDS TO BE SUBMITTED BY MARCH 1, 2011 AND SCHEDULING FOR FURTHER PROCEEDINGS BEFORE THE CITY COMMISSION ON MARCH 15, 2011 TO CONSIDER A RESOLUTION ACCEPTING OFFER AND AUTHORIZING CONVEYANCE; AND REQUIRING THE CITY CLERK TO PUBLISH THIS RESOLUTION IN ONE ISSUE OF THE OFFICIAL NEWSPAPER OF THE CITY WITHIN SEVEN (7) DAYS OF THE ADOPTION HEREON .

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

RIVERMONT HOUSE PROPERTY - THE TRUST FOR PUBLIC LAND (R-02)
PRE-ACQUISITION - FLORIDA COMMUNITIES TRUST
GRANT APPLICATION

No current year budget impact.

A resolution supporting efforts of The Trust for Public Land to work with owner of the Rivermont House property, the community and City on the acquisition of the Rivermont property located at 1016 Waverly Road and authorizing the proper City Officials to work with Trust on City's Florida Communities Trust grant application.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0257

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 11-36

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING THE EFFORTS OF THE TRUST FOR PUBLIC LAND TO WORK WITH THE OWNER OF THE RIVERMONT PROPERTY, THE COMMUNITY AND THE CITY ON THE ACQUISITION OF THE RIVERMONT PROPERTY; AND AUTHORIZING CITY STAFF TO WORK WITH THE TRUST FOR PUBLIC LAND ON THE CITY'S APPLICATION TO THE FLORIDA COMMUNITIES TRUST GRANT PROGRAM SEEKING GRANT FUNDS FOR ACQUISITION OF THE PROPERTY.

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

BOARD AND COMMITTEE APPOINTMENTS (R-03)

No budgetary impact.

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

Marine Advisory Board Joe Cain (Commissioner Roberts)

Planning and Zoning Board Michael Ferber (Commissioner Rodstrom)

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 11-37

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

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

PUBLIC HEARINGS

**HOLIDAY ISLE YACHT CLUB - ESTABLISH RESIDENTIAL PARKING (PH-01)
PERMIT DISTRICT**

Please see funding details attached to these minutes.

A resolution establishing Holiday Isle Yacht Club Residential Parking Permit District which includes twenty-five spaces abutting the dwelling located at 741 Bayshore Drive.

Recommend: Open hearing, close hearing, introduce resolution.

Exhibit: Commission Agenda Report 11-0109

Mayor Seiler opened the floor for public comment.

Bjorn Ronjom, president of Holiday Isle Yacht Club, explained there has been an ongoing parking problem which has escalated after La Rive Condominium was built. There are only 25 spaces for 30 units. He elaborated upon the problem and emphasized some residents are elderly and have difficulty walking a distance. The problem is mainly from December until March. He met with the Americas on the Park, president, Steven Auerbacher, and manager, Cheryl Franco. They agreed to be good neighbors and allow residents of Americas to use space if needed during the high season (December – March).

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

Mayor Seiler disclosed his prior legal representation of Holiday Isle Yacht Club on an unrelated issue many years ago. The City Attorney advised that only disclosure is necessary because this is not a conflict currently.

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 11-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ESTABLISHING A RESIDENTIAL PARKING PERMIT DISTRICT FOR THE HOLIDAY ISLE YACHT CLUB AREA LOCATED AT 741 BAYSHORE DRIVE, PURSUANT TO DIVISION 5. OF ARTICLE IV. CHAPTER 26, TRAFFIC, OF THE CODE OF ORDINANCES; PROHIBITING VEHICLES FROM PARKING ON A PORTION OF A RIGHT-OF-WAY IN THE DISTRICT DURING CERTAIN HOURS; ESTABLISHING THE DATES, TIMES AND AREA FOR RESTRICTED PARKING; PROVIDING PERMITS FOR PARKING AND ESTABLISHING A FINE FOR VIOLATIONS.

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

NEIGHBORHOOD STABILIZATION PROGRAM 3 - \$2,145,921
SUBSTANTIAL AMENDMENT - ANNUAL ACTION PLAN

(PH-02)

Please see funding details attached to these minutes.

A resolution approving and authorizing: 1) Substantial Amendment to 2010-2011 Annual Action Plan of 2010-2015 Consolidated Plan - adding Neighborhood Stabilization Program 3 (NSP 3) and associated strategies; 2) amendment to 2010-2011 final operating budget, by appropriating \$2,145,921 in NSP 3 grant funds; 3) two temporary grant funded positions and proper 4) City Officials to execute all necessary documents including submission of Substantial Amendment to U.S. Department of Housing and Urban Development.

Recommend: Open hearing, close hearing, introduce resolution.

Exhibit: Commission Agenda Report 11-0240

Mayor Seiler opened the floor for public comment.

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

In response to Commissioner Rodstrom, Jonathan Brown, Housing and Community Development Manager, explained that the Commission approved funding mechanisms for NSP 1; currently down payment assistance is being used. He assumed the Commission was aware that including down payment assistance would reduce the amount of funds to purchase additional houses. Commissioner Rodstrom noted that down payment assistance is being offered in the program's first year. The City will

eventually exhaust its funding to refurbish homes. She thought the original intention was to be able to address more homes every year. She questioned why mortgage assistance was not delayed to the third year after all of the homes were renovated. Mr. Brown explained that low-income buyers could not afford to purchase homes without the City's assistance. He confirmed that 25 percent of those granted assistance must be classified as very low income. If the homebuyer can qualify for a mortgage, no down payment assistance is provided. Commissioner Rodstrom wanted assurance that mortgage assistance is being provided to those who are truly in need and qualify for it. Mr. Brown noted upon the requirement for purchase assistance and NSP 1. Staff ensures this requirement is met. He maintained that most of the clients served in this program (NSP 1) require down payment assistance. The NSP 1 goal to purchase 25 properties has already been surpassed. Currently, there are 28 properties and none of the funding has been rolled over yet. Commissioner Rodstrom understood this to be a three-year program where funds are rolled back into purchase of more homes. Although mortgage assistance is a worthy cause, she questioned the number of homes that cannot be redeveloped because of this. Greg Brewton, Director of Planning and Zoning, advised that the initial goal of 25 homes has been exceeded. A commitment was not made beyond the initial goal and first time purchase of 25 homes because it was uncertain how much funding would be available to roll back into the program. The 28 homes are in the process of being sold and staff will provide updates regarding the amount of funds available to roll back in. In further response to Commissioner Rodstrom, Mr. Brown confirmed that three homes have been completed and mortgage assistance to those buyers. Staff expects most applicants to seek mortgage assistance. The City has not received SHIP (State Housing Initiatives Partnerships) funds in the last two years which could have been used to offset down payment assistance. He noted that, of the three completed homes, approximately \$90,000 was rolled back into the program; roughly \$30,000 per house. He elaborated upon a number of cost variables related to these figures that are paid by NSP funds. In response to Commissioner Rodstrom, Mr. Brown confirmed he would provide information provided for the January 19, 2011 Commission meeting that includes the homebuyers' names, amounts and the vendors who purchased the homes. Commissioner Rodstrom indicated if there will not be enough funds to continue more purchases beyond 28, she may regret making that decision.

In further response to Commissioner Rodstrom, Mr. Brown explained that NSP funds can be used for demolition; but, the U.S. Department of Housing and Urban Development (HUD) requires that no more than ten percent of the allocation be used. Other requirements include establishing the definition of a blighted structure and the City must have an agreement with the property owner to demolish or own the structure. The ultimate goal is to redevelop demolished properties. Based on the amount of program funds to be provided to the vendor and HUD's requirement for a competitive process, staff recommends that an RFP be issued for one NSP 3 vendor. Commissioner Rodstrom was concerned about the learning curve and emphasized her desire to redevelop as many houses as possible as quickly as possible. For these reasons, she suggested the City follow suit with Broward County and utilize an existing NSP 1 vendor to expedite the process, rather than issuing an RFP. However, she would not recommend Fort Lauderdale Community Development Corporation. Commissioner DuBose indicated he is inclined to agree and raised this question previously. Mr. Brown elaborated upon the contractual reason why an RFP is necessary. Commissioner DuBose pointed out that other cities and counties are using their NSP 1 vendors; they are not issuing an RFP. He wanted to know if the City has this option. Mr. Brown maintained that an RFP is necessary.

Commissioner Rodstrom suggested staff contact HUD directly to determine the best way to expedite these funds. Mr. Brown agreed to do so. Kirk Buffington, Director of Procurement Services, noted his hesitancy to express an opinion on this point because he is unfamiliar with the item, but agreed to meet with staff. He was uncertain if the (RFP) requirement stems from HUD or the City's procurement ordinance and a function of how the contracts were written for the NSP 1 program. Commissioner Rodstrom wanted any past mistakes corrected so the program can move forward.

In response to Commissioner Rodstrom, Mr. Brown noted the HUD deadline of March 1 for submission of the substantial amendment; this is the only possible meeting to allow appropriate time for submission. The information presented tonight is the same as that presented at the last meeting. Staff is satisfied with the current vendors and would not be concerned if the Commission is able to move forward with one of them and not utilize an RFP. It will take approximately three to four months before HUD provides the City with an NSP 3 agreement, so there is time to bring this back. .

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 11-39

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; APPROVING THE AMENDMENT TO THE 2010-2011 ANNUAL ACTION PLAN TO INCLUDE NSP3 FUNDING PLAN FOR SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; APPROVING THE CREATION OF TWO TEMPORARY POSITIONS FOR ADMINISTRATION; AND PROVIDING FOR AN EFFECTIVE DATE.

In response to Commissioner DuBose, Mr. Brown clarified that this is a substantial amendment to incorporate the acquisition, rehabilitation, and demolition of properties for HUD's approval. It is not necessary to complete an RFP now. Commissioner DuBose felt the motion should be amended in light of this discussion. In response to Mayor Seiler, the City Attorney advised the better course of action would be to delete reference to the RFP in the staff recommendations in Exhibit 2 of the commission agenda report.

Motion made by Commissioner Rodstrom and seconded by Commissioner DuBose, to amend the 2010-2011 Action Plan Amendment to remove that portion of the staff recommendation concerning a single vendor and no RFP.

Mr. Brown also noted that it will still be necessary to address demolition in the future.

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

**REZONING TO RESIDENTIAL LOW-RISE MULTIFAMILY –
MEDIUM DENSITY - CASE 2-Z-10 - CITY OF FORT LAUDERDALE –
1305-1335 NW 9 STREET**

(PH-03)

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

Recommend: Open hearing, close hearing, introduce ordinance on first reading.

Exhibit: Commission Agenda Report 11-0020

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

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 considerations.

In response to Mayor Seiler, Greg Brewton, Director of Planning and Zoning, explained that former District III Commissioner Carlton Moore understood that this area was supposed to be reserved as a park. However, Mr. Brewton indicated that he could not find any information in the Commission meeting minutes to validate this. Commissioner DuBose indicated he had wanted former Commissioner Moore to make his statements on record. Because this has not yet been resolved, the Applicant is willing to defer it again. Mr. Brewton referred to a letter from Ben Williams of the School Board addressed to the homeowners association president, Mickey Hinton previously presented (to the Commission). Mr. Williams had wanted to discuss this with his staff. Mr. Brewton advised that Mr. Hinton has not received any word of the results of that meeting.

Motion made by Commissioner DuBose and seconded by Commissioner Rodstrom, to defer the item to March 15, 2011. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

ORDINANCE NO. C-11-

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.

**REZONING TO PLANNED UNIT DEVELOPMENT - 1224 EAST LAS (PH-04)
FIRST PRESBYTERIAN CHURCH OF FORT LAUDERDALE -
CASE 4-ZPUD-08**

No budgetary impact.

Applicant: First Presbyterian Church of Fort Lauderdale
Location: 1224 East Las Olas Boulevard
Current Zoning: Boulevard Business B-1, Residential Single Family/Low Medium Density RS-8, Limited Residential Office ROA, Community Facility - House of Worship and School CF-HS
Proposed Zoning: Planned Unit Development PUD
Future Land Use: Commercial, Low Medium Residential

Recommend: Motion to defer to May 17, 2011.

Exhibit: Commission Agenda Report 11-0228

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

A **motion** was made by Vice Mayor Rogers and seconded by Commissioner Roberts to defer this item to May 17, 2011 (request of Applicant). Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

ORDINANCES

**VACATE PORTION OF RIGHT-OF-WAY - SW 29 STREET (O-01)
KEEN-DOLLAR ENTERPRISES - CASE 4-P-10**

No budgetary impact.

Commissioner Roberts introduced the following ordinance on SECOND reading

ORDINANCE NO. C-11-05

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF SOUTHWEST 29 STREET

(PLATTED AS CUBA AVENUE), BOUNDED ON THE EAST BY THE WEST RIGHT OF WAY LINE OF SOUTH ANDREWS AVENUE AND BOUNDED ON THE WEST BY THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 10, BLOCK 13, ALL AS SHOWN ON THE PLAT OF "MIDWAY SECTION OF CROISSANT PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 63, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF SOUTH ANDREWS AVENUE AND EAST OF THE FEC RAILROAD, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Members of the Commission announced the disclosures were the same as those indicated on first reading with a site visit announced by Vice Mayor Rogers.

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

PAIN CLINICS - MORATORIUM EXTENSION

(O-02)

No budgetary impact.

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-11-06

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA EXTENDING THE MORATORIUM ON THE ISSUANCE OF BUSINESS TAX RECEIPTS FOR OPERATION OF "PAIN CLINICS" AND "PAIN MANAGEMENT CLINICS" FOR AN ADDITIONAL ONE HUNDRED AND EIGHTY (180) DAYS; PROVIDING FOR AN EFFECTIVE DATE.

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

CODE AMENDMENT - SECTION 5-29(a) - SALE OF ALCOHOLIC BEVERAGES ON SUNDAYS

(O-03)

No budgetary impact.

Commissioner Rodstrom introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-11-07

AN ORDINANCE AMENDING SECTION 5-29 (a) OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA PERMITTING SALE AND ON PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES FOR CERTAIN VENDORS; PROVIDING FOR HOURS OF SALE AND CONSUMPTION; PROVIDING FOR AN EFFECTIVE DATE AND SEVERABILITY.

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

In response to Commissioner Rodstrom, Mayor Seiler explained this ordinance will take effect upon his signing it. Commissioner Rodstrom asked the City Attorney to contact her when this ordinance is signed.

Note: The City Commission adjourned the regular meeting at 7:55 p.m. and returned to the conference meeting agenda, item I-E, from 7:55 p.m. to 10:22 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk