

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
AUGUST 23, 2011

Agenda Item	Resolution/ Ordinance	Page(s)
	Presentations:	
	1. Grant Awards- Cooley's Landing - \$152,692.67 And Marine Partrol - \$23,835	1
	2. Worldwide Day Of Play – September 24, 2011	2
OB	Expressions of Sympathy – Moment of Silence	2
CA	Consent Agenda	2
M-01	Event Agreement – Dancegiving - Closing SW 3 Avenue	2
M-02	Event Agreement - My Candles Of Hope Charity Car Show	2
M-03	Event Agreement - Flavors Of Greece	3
M-04	Event Agreement And Co-Sponsorship For Banners – Indopak Fest 2011	3
M-05	Event Agreement - 24th Annual Las Olas Art Fair - Closing East Las Olas Boulevard And Neighborhood Streets	3
M-06	Event Agreement - Making Strides Against Breast Cancer	4
M-07	Event Agreement - Florida Panthers Summer Blueprint Tour	4
M-08	Event Agreement - Red Bull Spiked Qualifier	4
M-09	Event Agreement – Summerfest	4
M-10	Extension To Hazard Mitigation Grant Program - \$1,306,171- Police Headquarters Retrofit - Florida Division Of Emergency Management-	5
M-11	Grant Application - 2011 Assistance To Firefighters Grant – \$1,200,000- Federal Emergency Management Agency	5
M-12	Grant Extensions - Urban Area Security Initiative- Interlocal Agreement Amendment	5
M-13	Task Order - Construction Observation Of Environmental Restoration – \$32,545-Parcel D - Executive Airport Industrial Airpark	5
M-14	Transfer Funds For Riverwalk Seawall Replacement - North Side	6
M-15	Joe DiMaggio Legends Game At Fort Lauderdale Stadium- License Agreement – South Broward Hospital District	6
M-16	Settlement Of New River Floating Docks Project - \$18,440- Transfer Of Funds	6
M-17	Change Order 3 (Final) - Globetec Construction, LLC - Credit (\$43,217.21)-Fiveash Water Treatment Plant Filter Rehabilitation	7
M-18	Disbursement Of Funds/Joint Investigation - 08-46696 - \$106.12- Law Enforcement Trust Fund	7
M-19	Disbursement Of Funds/Joint Investigation - 08-46696 - \$597.58- Law Enforcement Trust Fund	7
M-20	Disbursement Of Funds/Joint Investigation - 08-46696 - \$151.24- Law Enforcement Trust Fund	7
M-21	Disbursement Of Funds/Joint Investigation - 09-54976 - \$47,754.55-	7
M-22	Disbursement Of Funds/Joint Investigation - 08-67614 - \$2,268.47- Law Enforcement Trust Fund	8
M-23	Third And Final Extension To Agreement With B.C. R.C. Race Club, Inc. –\$8,400-Remote Control Miniature Race Cars At Mills Pond Park	8
M-24	Change Order 1 - Weekley Asphalt Paving, Inc. - \$28,384.80- 2011-2012- Annual Asphlatic Concrete Street Resurfacing Contract Extension	9
M-25	Change Order 4 - Central Florida Equipment Rental, Inc. – \$336,317.04-NE/NE 6 Street - Sistrunk Boulevard Streetscape And Enhancement	9
M-26	Transfer Funds - Harborage Isle Drive Bridge Replacement - \$9,900- Relocation Of Yacht To Las Olas Marina	9
M-27	Task Order 8 - CSA Central, Inc. - \$112,200-Inspection Services – State Road A-1 -A Light Replacement	9

M-28		Sunshot Initiative - Rooftop Solar Challenge Grant- United States Department Of Energy	10
M-29		Grant Applications - \$4,625,000-Downtown Fort Lauderdale Transportation Management Association	10
M-30		Southside School - Mold Remediation - \$90,914.15- Decon Environmental & Engineering, Inc.	10
CR-01	11-216	Special Counsel - Alain E. Boileau, P.A.	11
CR-02	11-217	Lot Clearing And Cleaning - Special Assessment Liens For Associated Cost	11
CR-03	11-218	Rescheduling September 6, 2011 City Commission Meetings	12
CR-04	11-219	Air Traffic Controllers At Executive Airport	12
CR-05	11-220	Grant Agreement - SE 15th St Boat Launching & Marine Complex – \$291,715- Broward Boating Improvement Program	12
CR-06	11-221	Grant Acceptance - Enhanced Marine Law Enforcement Grant – \$184,464	13
CR-07	11-222	Amend Operating Budget - Appropriation - \$5,000-Sponsorship – July 4th 2011 Celebration	13
CR-08	11-223	Amend Operating Budget - Appropriation - \$12,000-Sponsorship – Jazz Brunch	14
CR-09	11-224	Amend Operating Budget - Appropriation - \$25,000- Centennial Sponsorship – CH2M Hill, Inc.	14
CR-10	11-225	Amend Operating Budget - Appropriation - \$3,500 – Centennial Sponsorship – Gold Coast Beverage Distributors	15
CR-11	11-226	Grant Acceptance - Historic Preservation Design Guidelines – \$20,000 – Florida Division Of Historical Resources	15
CR-12	11-227	Grant Acceptance - Urban Area Security Initiative - \$419,978.72 – U.S. Department Of Homeland Security - Interlocal Agreement – City Of Miramar	16
CR-13	11-228	Amend Operating Budget - Appropriation - \$685,718.60 Fund Close-Out	16
CR-14	11-229	General Obligation Refunding Bonds - Series 2011 B – Not To Exceed \$16 Million	17, 23
CR-15	11-230	Authorization To Issue General Obligation Bonds - Series 2011A – Not To Exceed \$20 Million - Fire Rescue Facilities	18, 32
CR-16	11-231	Amend Operating Budget - Appropriation - Not To Exceed \$36 Million – General Obligation Refunding Bonds - Series 2011A And 2011 B	19
CR-17	11-232	Bond Counsel - Squire, Sanders & Dempsey - Not To Exceed \$27,500-Special Obligation Bonds - Series 2011A And 2011B	20
CR-18	11-233	Change Order 3 - Ric-Man Construction, Inc. - \$176,052.29- Water Main Improvements Phase 2 - Add 123 Calendar Days	21
CR-19	11-234	Sidewalk Easement To Broward County-Safe Walk Route For Meadowbrook Elementary School - Broadview Park	21
CR-20	11-235	Asphalt Speed Cushion Installation On SW20 Street- River Oaks Civic Association 22	22
CR-21	11-236	SE 15 Street Boat Launch And Marine Complex Contract Award – \$198,297.68-Rescind And Replace Bid Tabulation And Amend Operating Budget – Appropriation	22
CR-22	11-237	Construction Agreement - Florida Department Of Transportation- Entryway Signage – North Beach Restaurants And Shoppes	23
PUR-01		State Contract 680-370-07-1 - Rapid ID Fingerprint Scanner – \$28,882.53	23
PUR-02		112-10811 - Vehicle/Motorcycle Calibration Services - \$29,800	24
PUR-03		Intelligence Led Policing Unit And Evidence Warehouse \$64,243.08- Servers And Software	24
PUR-04		715-10763 - Security Guard Services - Marine Facilities - \$88,197	24
PUR-05		713-10814 - Cut Paper Contract - \$43,810.45	25
PUR-06		785-10058 - Contract Extension - Equipment Rental Beach Concessions –\$61,643.70	25
PUR-07		712-10817 - Internet Management Software Support - \$27,499.95	25
PUR-08		582-10064 - T-Shirts And Apparel Contract Extension - \$45,600	25
PUR-09		512-10790 - Scoreboards - \$59,990	26

PUR-10		512-10791 - Resurfacing Fast Dry Tennis Courts - \$76,927- Jimmy Evert Tennis Center	26, 32
PUR-11		512-10800 - Concrete Outdoor Ping Pong Tables - \$12,347	26, 33
PUR-12		B-11-67 - Co-Op Contract For Fertilizers - \$60,000	27
PUR -13		215-10772 - Powerwashing Services Along Fort Lauderdale Beach – \$57,000-Beach Business Improvement District	28
PUR-14		492-10310 - Laboratory Testing Services-Contract Assignment From Florida Testing Services, L.L.C.	27
PUR-15		403-10440 - Liquid Chlorine Railcar Contract Renewal - \$434,970	28
PUR-16		415-10766 - Janitorial Maintenance Services Citywide - \$163,636.72	28
PUR-17		616-10632-4 - General Environmental Engineering Consultant Services	28
PUR-18		616-10632 - General Environmental Engineering Consultant Services	29
PUR-19		616-10632-5 - General Environmental Engineering Consultant Services	29
PUR-20		616-10631-3 - Traffic And Transportation Engineering Consultant Services	29
PUR-21		616-10631-4 - Traffic And Transportation Engineering Consultant Services	30
PUR-22		505-10495 - Increase Expenditure - Fleet Management And Maintenance - \$514,934 30	30
PUR-23		512-10812 - Supplemental Fleet Purchase - Landscaping Trailers – \$32,772	30
PUR-24		115-10783 - Workers' Compensation Claims Administration Services – \$380,000	31
PUR-25		115 -10759 - Third Party Administrator For Group Health Plan – \$1,063,526	31
PUR-26		213-10813 - Four Radioisotope Identifier Packages - \$93,500	31
PUR-27		162-9503 - Increased Expenditure - Ems Billing Services - \$49,000	32
MD-01		Proprietary - Replacement Bomb Transport Trailer - \$50,744.50	33
MD-02		Proprietary - Geographic Information Systems Software- \$36,400- Maintenance, Updates And Support	34
MD-03		Proprietary - Public Safety Systems - \$124,319.44-Maintenance For Back Office Infrastructure	34
MD-04		Proprietary - Tasers - \$9,768.00	34
MD-05		Proprietary - E-Procurement - \$21,000-Software Subscription And Support Services	35
MD-06		Proprietary - Harbor Beach Marriott Contract - \$17,490.20- South Florida Citizen Corps Conference	35
MD-07		Proprietary - CBRNE Patient Simulator - \$97,559-Homeland Security Metropolitan Medical Response System Grant Award	36
MD-08		Proprietary - Public Works Telephone System Maintenance - \$14,592	36
MD-09		Proprietary - PASSUR Passive Radar Hardware And Software Support – \$26,717.47- Executive Airport	37
MD-10		Proprietary - PASSUR Portal, Pulse And Mode-S Online Service – \$23,377.79- Executive Airport	37
MD-11		Proprietary - ANOMS Software Support - \$38,946.05-Executive Airport	38
R-01	11-212	Amendment To Site Plan Level Iv - Sidewalk Cafe In Central Beach Area-St. Bart's Cafe - Case 1-R-11A	38
R-02	11-213	Appeal - Historic Preservation Board - Case 8-H-11Alteration To Exchange Lofts –115 NE 3 Avenue	39
R-03	11-214	Board And Committee Appointments	41
CIT-01		Christine Timmon – U.S. Constitution and Immigration	42
CIT-02		Robert Walsh – Hospital Care Cost	42
CIT-03		Ana Campos – Enforcement of Lighting Ordinance	43
CIT-04		Broward Partnership For The Homeless – Proposed Changes for Homeless Assistance Center located at 600 West Sunrise Boulevard	43
CIT-05		Richard Whitecloud – Endangered Sea Turtles	43
PH-01		Amendment To 2010-2011 Annual Action Plan - \$85,000- Community Development Block Grant Program	44

CITY COMMISSION REGULAR MEETING

8/23/11 - iv

PH-02	11-215	Historic Landmark Designation - Coca-Cola Building- 400 South Andrews Avenue – Case 9-H-10	45
PH-03	C-11-19	Reinstatement Of Development Plan - Georgian Oaks – Case 1-Z-Pud-03	51
O-01	C-11-20	Code Amendment - Reverse Auctions	53
O-02	C-11-17	Convenience And Liquor Store Moratorium-Northwest Progresso Flagler Heights Community Redevelopment Area	53
O-03	C-11-18	Board And Committee Residency Membership Requirements And Reorganization	54

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
August 23, 2011**

Meeting was called to order at 6:08 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1st floor Chambers.

Roll call showed:

Present: Commissioner Bruce G. Roberts
Commissioner Charlotte E. Rodstrom
Commissioner Romney Rogers
Mayor John P. "Jack" Seiler

Absent: Vice Mayor Bobby B. DuBose

Also Present: City Manager Lee R. Feldman
City Auditor John Herbst
City Clerk Jonda K. Joseph
City Attorney Harry A. Stewart
Sergeant At Arms Sergeant Monica Ferrer

Invocation was offered by Pastor Dan Tennis, Christian Romany Church, followed by the recitation of the pledge by Commissioner Rodstrom.

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

Motion made by Commissioner Roberts and seconded by Commissioner Rodstrom to approve the minutes of the June 7, 2011 Conference Meeting, June 21, 2011 Conference and Regular Meetings, July 6, 2011 Conference and Regular Meetings, July 12, 2011 Special Meeting. Roll call showed: YEAS: Commissioner Rogers, Commissioner Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

Presentations

**GRANT AWARDS- COOLEY'S LANDING - \$152,692.67 AND (PRES-01)
MARINE PARTROL - \$23,835**

Daniel H. Yaffe, chair of the Broward County Marine Advisory Committee, presented the City with grant awards in the amounts of \$152,690 from the Broward County Boating Improvement Program to fund the Cooley's Landing boat ramp and \$23,835 from the Enhanced Marine Law Enforcement Grant Program. He explained that these grant funds are derived from boat registration fees, and the City has received a combined total of approximately \$5.7 million from these programs. John Fiore, Broward County Parks and Recreation, was pleased to work with City staff to promote improved boating access and safety for recreational boaters. Mayor Seiler and Commissioner Rogers expressed gratitude for these grant awards.

WORLDWIDE DAY OF PLAY – SEPTEMBER 24, 2011**(PRES-02)**

Commissioner Roberts presented a proclamation supporting Nickelodeon's Worldwide Day of Play and designating September 24, 2011, as Worldwide Day of Play in the City to Barbara Barber, Community Program Supervisor. Ms. Barber noted the citywide initiative to get children moving in order to reduce obesity and childhood diabetes. She invited the public to participate in this event.

EXPRESSIONS OF SYMPATHY – MOMENT OF SILENCE**(OB)**

Mayor Seiler offered a moment of silence in memory of Larry Fuller, former Assistant City Clerk, and Diane Massey, wife of Albert Massey, the City's Special Counsel for Worker's Compensation matters.

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 – DANCEGIVING – CLOSING SW 3 AVENUE**(M-01)****No budgetary impact**

Event Agreement with 3-J Hospitality, LLC, for Dancegiving, to be held at America's Backyard and Revolution Live on November 26, 2011, 5 PM - 12 Midnight and closing SW 3 Avenue, from Broward Boulevard to SW 2 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1108

EVENT AGREEMENT - MY CANDLES OF HOPE CHARITY CAR SHOW**(M-02)****No budgetary impact.**

Event Agreement with My Candles of Hope Foundation, Inc. for My Candles of Hope Charity Car Show, to be held September 25, 2011, 11 AM - 4 PM, at Mars Powerline

Center - 5300 Powerline Road.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1118

EVENT AGREEMENT - FLAVORS OF GREECE

(M-03)

No budgetary impact.

Event Agreement with St. Demetrios Greek Orthodox Community of Broward County, Inc. for Flavors of Greece, to be held October 8 and 9, 2011, at the church - 815 NE 15 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1119

**EVENT AGREEMENT AND CO-SPONSORSHIP FOR BANNERS –
INDOPAK FEST 2011**

(M-04)

No budgetary impact.

Event Agreement with Pardes Magazine, Inc. for IndoPak Fest 2011, to be held September 18, 2011, 11 AM - 9 PM, at Bahia Mar Beach Resort, and co-sponsorship to allow banners.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1123

**EVENT AGREEMENT - 24TH ANNUAL LAS OLAS ART FAIR - CLOSING
EAST LAS OLAS BOULEVARD AND NEIGHBORHOOD STREETS**

(M-05)

No budgetary impact.

Event Agreement with Las Olas Association, Inc., for 24th Annual Las Olas Art Fair, to be held on the following weekends: October 22-23, 2011; January 7-8, 2012; and March 3-4, 2012, 10 AM - 5 PM and closing East Las Olas Boulevard and neighborhood streets on event weekends.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1124

EVENT AGREEMENT - MAKING STRIDES AGAINST BREAST CANCER (M-06)**No budgetary impact.**

Event Agreement with American Cancer Society Florida Division, Inc., for Making Strides Against Breast Cancer, to be held October 9, 2011, 8 AM - 11:30 AM, at Huizenga Plaza and downtown area sidewalks.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1126

EVENT AGREEMENT - FLORIDA PANTHERS SUMMER BLUEPRINT TOUR (M-07)**No budgetary impact.**

Event Agreement with Florida Panthers Hockey Club, Ltd., for Florida Panthers Summer Blueprint Tour, to be held September 3, 2011, 5 PM - 8 PM, at Huizenga Plaza.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1134

EVENT AGREEMENT - RED BULL SPIKED QUALIFIER (M-08)**No budgetary impact.**

Event Agreement with Red Bull North America, Inc., for Red Bull Spiked Qualifier, to be held August 27, 2011, 9 AM - 5 PM, at Fort Lauderdale Beach Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1136

EVENT AGREEMENT - SUMMERFEST (M-09)**No budgetary impact.**

Event Agreement with Quarterdeck Cordova, Inc., for SummerFest, to be held August 27, 2011, 11 AM - 11 PM, at Quarterdeck restaurant - 1541 Cordova Road.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1138

**EXTENSION TO HAZARD MITIGATION GRANT PROGRAM - \$1,306,171 (M-10)
POLICE HEADQUARTERS RETROFIT - FLORIDA DIVISION OF
EMERGENCY MANAGEMENT**

No additional budgetary impact.

Extension of Hazard Mitigation Grant Program Subgrant Agreement with FEMA for Police Headquarters Retrofit.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1246

**GRANT APPLICATION - 2011 ASSISTANCE TO FIREFIGHTERS - (M-11)
GRANT - \$1,200,000 – FEDERAL EMERGENCY MANAGEMENT AGENCY**

See funding details attached to these minutes.

Grant application to U.S. Department of Homeland Security for critical care rescue (ambulance) units.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1225

**GRANT EXTENSIONS - URBAN AREA SECURITY INITIATIVE (M-12)
INTERLOCAL AGREEMENT AMENDMENT**

No budgetary impact.

Extension of 2007 Urban Area Security Initiative primary and secondary grant agreements and execution of all necessary documents including a corresponding amendment to interlocal agreement with sponsoring and coordinating agency.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1195

**TASK ORDER - CONSTRUCTION OBSERVATION OF (M-13)
ENVIRONMENTAL RESTORATION - \$32,545 – PARCEL D – EXECUTIVE
AIRPORT - PARCEL D - EXECUTIVE AIRPORT INDUSTRIAL AIRPARK**

See funding details attached to these minutes.

Construction observation by Miller Legg & Associates, Inc. of environmental restoration for Executive Airport.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1157

TRANSFER FUNDS FOR RIVERWALK SEAWALL REPLACEMENT – NORTH SIDE (M-14)

See funding details attached to these minutes.

Transfer \$233,292 and \$266,708 from two funding accounts for Riverwalk Seawall Feasibility Study to capital improvement account for replacement of seawall on north side.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1067

JOE DIMAGGIO LEGENDS GAME AT FORT LAUDERDALE STADIUM LICENSE AGREEMENT - SOUTH BROWARD HOSPITAL DISTRICT (M-15)

No budgetary impact for FY10/11

License Agreement with South Broward Hospital District for use of Fort Lauderdale Stadium to host Joe DiMaggio Legends Baseball Game on January 28, 2012.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1221

SETTLEMENT OF NEW RIVER FLOATING DOCKS PROJECT - \$18,440 TRANSFER OF FUNDS (M-16)

See funding details attached to these minutes.

Settlement Agreement with SureTec Information Systems satisfying all outstanding obligations, transfer of funds and other related steps for New River Floating Docks project by Palm Beach Marine Construction, Inc.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1263

**CHANGE ORDER 3 (FINAL) - GLOBETEC CONSTRUCTION, LLC – (M-17)
CREDIT (\$43,217.21) - FIVEASH WATER TREATMENT PLANT
FILTER REHABILITATION**

See funding details attached to these minutes.

Change Order 3 for quantity reconciliation - Fiveash Water Treatment Plant Filter Rehabilitation.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1153

**DISBURSEMENT OF FUNDS/JOINT INVESTIGATION - 08-46696 - \$106.12 (M-18)
LAW ENFORCEMENT TRUST FUND**

See funding details attached to these minutes.

Disbursement from Law Enforcement Trust Fund with each participating law enforcement agency to receive \$53.06 and Sunrise and Fort Lauderdale Police Departments to receive \$106.12 due to additional assigned agents.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1055

**DISBURSEMENT OF FUNDS/JOINT INVESTIGATION - 08-46696 - \$597.58 (M-19)
LAW ENFORCEMENT TRUST FUND**

See funding details attached to these minutes.

Disbursement from Law Enforcement Trust Fund with each participating law enforcement agency to receive \$298.79 and Sunrise and Fort Lauderdale Police Departments to receive \$597.58 due to additional assigned agents.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1056

**DISBURSEMENT OF FUNDS/JOINT INVESTIGATION - 08-46696 - \$151.24 (M-20)
LAW ENFORCEMENT TRUST FUND**

See funding details attached to these minutes.

Disbursement from Law Enforcement Trust Fund with each participating law enforcement agency to receive \$75.62 and Sunrise and Fort Lauderdale Police Departments to receive \$151.24 due to additional assigned agents.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1057

**DISBURSEMENT OF FUNDS/JOINT INVESTIGATION - 09-54976 - (M-21)
\$47,754.55 - LAW ENFORCEMENT TRUST FUND**

See funding details attached to these minutes.

Disbursement from Law Enforcement Trust Fund with each participating law enforcement agency to receive \$23,877.26 and Fort Lauderdale Police Department to receive \$47,754.55 due to additional assigned agent.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1082

**DISBURSEMENT OF FUNDS/JOINT INVESTIGATION - 08-67614 - \$2,268.47 (M-22)
LAW ENFORCEMENT TRUST FUND**

See funding details attached to these minutes.

Disbursement from Law Enforcement Trust Fund with each participating law enforcement agency to receive \$1,134.22 and Fort Lauderdale Police Department to receive an additional share for a total sum of \$2,268.47 due to an additional assigned agent.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1100

**THIRD AND FINAL EXTENSION TO AGREEMENT WITH B.C. R.C. (M-23)
RACE CLUB, INC. - \$8,400 - REMOTE CONTROL MINIATURE
RACE CARS AT MILLS POND PARK**

See funding details attached to these minutes.

Third and final extension to agreement with Broward County R.C. Race Club, Inc. for non-exclusive use of a portion of Mills Pond Park to operate remote control miniature race cars.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1062

CHANGE ORDER 1 - WEEKLEY ASPHALT PAVING, INC. - \$28,384.80 (M-24)
2011-2012 ANNUAL ASPHALTIC CONCRETE STREET
RESURFACING CONTRACT EXTENSION

See funding details attached to these minutes.

Change Order 1 for pavement restoration as a result of Boulevard Gardens West Small Water Mains Project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1150

CHANGE ORDER 4 - CENTRAL FLORIDA EQUIPMENT RENTAL, INC. – (M-25)
\$336,317.04 - NE/NE 6 STREET - SISTRUNK BOULEVARD
STREETSCAPE AND ENHANCEMENT

See funding details attached to these minutes.

Change Order 4 for additional work contingent upon Community Redevelopment Agency approval.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1218

TRANSFER FUNDS - HARBORAGE ISLE DRIVE BRIDGE REPLACEMENT – (M-26)
\$9,900 - RELOCATION OF YACHT TO LAS OLAS MARINA

See funding details attached to these minutes.

Transfer of \$9,900 from Annual Bridge Repair/Painting Project to Harbordale Isle Drive Bridge Replacement Project for yacht relocation away from bridge demolition and reconstruction.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1135

TASK ORDER 8 - CSA CENTRAL, INC. - \$112,200 (M-27)
INSPECTION SERVICES - STATE ROAD A-1-A LIGHT REPLACEMENT

See funding details attached to these minutes.

Task Order 8 with CSA Central, Inc. for construction engineering inspection services for State Road A-1-A Light Replacement Project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1143

SUNSHOT INITIATIVE - ROOFTOP SOLAR CHALLENGE GRANT (M-28)
UNITED STATES DEPARTMENT OF ENERGY

No budgetary impact.

A letter of commitment confirming City's contribution of cost-share to Broward County Sunshot Initiative.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1220

GRANT APPLICATIONS - \$4,625,000 (M-29)
DOWNTOWN FORT LAUDERDALE TRANSPORTATION
MANAGEMENT ASSOCIATION

No budgetary impact.

Grant application to Federal Transit Administration - Transportation Investment Generating Economic Recovery (TIGGER) for replacement of Sun Trolley vehicles and support Downtown Fort Lauderdale Transportation Management Association's Jobs and Reverse Commute grant application.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1222

SOUTHSIDE SCHOOL - MOLD REMEDIATION - \$90,914.15 (M-30)
DECON ENVIRONMENTAL & ENGINEERING, INC.

See funding details attached to these minutes.

Purchase Order to Decon Environmental & Engineering, Inc. for mold remediation at Southside School.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1262

CONSENT RESOLUTION

SPECIAL COUNSEL - ALAIN E. BOILEAU, P.A.

(CR-01)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1258

RESOLUTION NO. 11-216

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING THE LAW FIRM OF ALAIN E. BOILEAU, P.A., AS SPECIAL COUNSEL, TO REPRESENT THE CITY OF FORT LAUDERDALE IN CONNECTION WITH POLICE PROFESSIONAL LIABILITY AND GENERAL LIABILITY CLAIMS.

LOT CLEARING AND CLEANING - SPECIAL ASSESSMENT LIENS FOR ASSOCIATED COST

(CR-02)

See funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1114

RESOLUTION NO. 11-217

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

RESCHEDULING SEPTEMBER 6, 2011 CITY COMMISSION MEETINGS (CR-03)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1149

RESOLUTION NO. 11-218

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCHEDULING THE SEPTEMBER 6, 2011, REGULAR AND CONFERENCE MEETINGS OF THE CITY COMMISSION TO SEPTEMBER 7, 2011.

AIR TRAFFIC CONTROLLERS AT EXECUTIVE AIRPORT (CR-04)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1146

RESOLUTION NO. 11-219

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, URGING THE FEDERAL AVIATION ADMINISTRATION TO GRANT AN EXEMPTION TO THE MANDATE REQUIRING TWO AIR TRAFFIC CONTROLLERS ON DUTY DURING THE OVERNIGHT SHIFT AT THE AIR TRAFFIC CONTROL TOWER AT FORT LAUDERDALE EXECUTIVE AIRPORT.

GRANT AGREEMENT - SE 15TH ST BOAT LAUNCHING & MARINE COMPLEX - \$291,715 - BROWARD BOATING IMPROVEMENT PROGRAM (CR-05)

No new budgetary impact to revised grant agreement, funding in amount of \$291,715 was appropriated on 09-01-2009, Resolution 09-200.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0321

RESOLUTION NO. 11-220

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO (1) EXECUTE A TWO-YEAR GRANT AGREEMENT WITH BROWARD COUNTY UNDER THE BROWARD COUNTY BOATING IMPROVEMENT (BBIP) FOR THE REIMBURSEMENT OF CONSTRUCTION COSTS FOR IMPROVEMENTS TO THE SOUTHEAST 15TH STREET BOAT LAUNCHING AND MARINE COMPLEX, FUNDING NOT TO EXCEED \$291,715.00; AND (2) DELEGATE AUTHORITY TO THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND INCIDENTAL TO ADMINISTRATION OF THE GRANT.

GRANT ACCEPTANCE - ENHANCED MARINE LAW ENFORCEMENT GRANT - \$184,464 (CR-06)

See funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1175

RESOLUTION NO. 11-221

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$184,464 FROM BROWARD COUNTY THROUGH THE ENHANCED MARINE LAW ENFORCEMENT GRANT (EMLEG) PROGRAM, EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING AND AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012, UPON ADOPTION BY APPROPRIATING SUCH GRANT FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

AMEND OPERATING BUDGET - APPROPRIATION - \$5,000 SPONSORSHIP - JULY 4TH 2011 CELEBRATION (CR-07)

See funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1085

RESOLUTION NO. 11-222

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 \$5,000.00 FROM FLA FOUNDATION, INC. FOR SPONSORSHIP OF THE 4TH OF JULY CELEBRATION AND APPROPRIATING EXPENSES IN THE AMOUNT OF \$5,000.00 INCLUDING A \$650.00 PAYMENT TO JAN BETH IDELMAN, INC., THE EVENT FUNDRAISER, AS SET FORTH IN THE ATTACHED EXHIBIT.

**AMEND OPERATING BUDGET - APPROPRIATION - \$12,000
SPONSORSHIP - JAZZ BRUNCH**

(CR-08)

See funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1104

RESOLUTION NO. 11-223

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 \$12,000.00 FROM LAUDERDALE BMW/LAUDERDALE MINI OF FORT LAUDERDALE FOR THE JAZZ BRUNCH CELEBRATION AND APPROPRIATING EXPENSES IN THE AMOUNT OF \$12,000.00 INCLUDING A \$1,560.00 PAYMENT TO JAN BETH IDELMAN, INC., THE EVENT FUNDRAISER, AS SET FORTH IN THE ATTACHED EXHIBIT.

AMEND OPERATING BUDGET - APPROPRIATION - \$25,000
CENTENNIAL SPONSORSHIP - CH2M HILL, INC.

(CR-09)

See funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1083

RESOLUTION NO. 11-224

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 'OCTOBE8 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY ACCEPTING AND APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AND PROVIDING FOR AN EFFECTIVE DATE.

AMEND OPERATING BUDGET - APPROPRIATION - \$3,500
CENTENNIAL SPONSORSHIP - GOLD COAST BEVERAGE DISTRIBUTORS

(CR-10)

See funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1168

RESOLUTION NO. 11-225

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

GRANT ACCEPTANCE - HISTORIC PRESERVATION DESIGN
GUIDELINES - \$20,000 - FLORIDA DIVISION OF HISTORICAL RESOURCES

(CR-11)

See funding details attached to these minutes.

Recommend: Recommend adoption of resolution.

Exhibit: Commission Agenda Report 11-1090

RESOLUTION NO. 11-226

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT A 2012 SMALL MATCHING HISTORIC PRESERVATION GRANT IN THE AMOUNT OF \$20,000 FROM THE FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES, TO CONDUCT HISTORIC PRESERVATION SURVEY AND PLANNING PROJECTS.

GRANT ACCEPTANCE - URBAN AREA SECURITY INITIATIVE - (CR-12)
\$419,978.72 - U.S. DEPARTMENT OF HOMELAND SECURITY -
INTERLOCAL AGREEMENT - CITY OF MIRAMAR

See funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1201

RESOLUTION NO. 11-227

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$419,978.72 FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY THROUGH THE FY2010 URBAN AREA SECURITY INITIATIVE GRANT PROGRAM VIA THE CITY OF MIRAMAR, EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING AND AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011, BY APPROPRIATING SUCH GRANT FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

AMEND OPERATING BUDGET - APPROPRIATION - \$685,718.60 (CR-13)
FUND CLOSE-OUT

See funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1102

RESOLUTION NO. 11-228

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 THE REMAINING UNSPENT FUND BALANCE AS SET FORTH IN THE ATTACHED EXHIBIT, AND PROVIDING FOR AN EFFECTIVE DATE.

**GENERAL OBLIGATION REFUNDING BONDS - SERIES 2011B –
NOT TO EXCEED \$16 MILLION**

(CR-14)

See funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1161

RESOLUTION NO. 11-229

A RESOLUTION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$16,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011B, FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION REFUNDING BONDS, SERIES 2002; PROVIDING THAT SUCH GENERAL OBLIGATION REFUNDING BONDS SHALL CONSTITUTE GENERAL OBLIGATIONS OF THE CITY AND THAT THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY SHALL BE IRREVOCABLY PLEDGED FOR THE PAYMENT OF THE PRINCIPAL OF AND THE INTEREST ON SUCH BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; DELEGATING TO THE CITY MANAGER THE DETERMINATION OF CERTAIN MATTERS AND DETAILS CONCERNING SUCH BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; AUTHORIZING THE PUBLIC SALE BY COMPETITIVE BID OF SUCH BONDS AND AUTHORIZING THE CITY MANAGER TO PUBLISH A NOTICE OF BOND SALE;

APPROVING THE FORMS OF THE OFFICIAL NOTICE OF BOND SALE AND OFFICIAL BID FORM; AUTHORIZING THE CITY MANAGER TO AWARD THE BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; APPOINTING A PAYING AGENT AND A BOND REGISTRAR, A VERIFICATION AGENT AND PROVIDING FOR THE APPOINTMENT OF AN ESCROW AGENT; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT; PROVIDING FOR THE PRINTING AND USE OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF THE OFFICIAL STATEMENT; COVENANTING TO PROVIDE CONTINUING DISCLOSURE IN CONNECTION WITH SUCH BONDS IN ACCORDANCE WITH SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12 AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE COMMITMENT WITH RESPECT THERETO; AUTHORIZING A BOOK-ENTRY REGISTRATION SYSTEM FOR SUCH BONDS; AUTHORIZING CERTAIN OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE.

**AUTHORIZATION TO ISSUE GENERAL OBLIGATION BONDS – (CR-15)
SERIES 2011A - NOT TO EXCEED \$20 MILLION - FIRE RESCUE FACILITIES***

See funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1196

RESOLUTION NO. 11-230

A RESOLUTION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$20,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2011A (FIRE-RESCUE FACILITIES), PURSUANT TO RESOLUTION NO. 05-87 ADOPTED ON MAY 10, 2005, TO PAY FOR THE ACQUISITION, DESIGN, CONSTRUCTION, DEVELOPMENT, IMPROVEMENT, EQUIPPING AND FURNISHING OF CERTAIN NEW AND EXISTING FIRE-RESCUE FACILITIES WITHIN THE CITY; PROVIDING THAT SUCH GENERAL OBLIGATION BONDS SHALL

CONSTITUTE GENERAL OBLIGATIONS OF THE CITY AND THAT THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY SHALL BE IRREVOCABLY PLEDGED FOR THE PAYMENT OF THE PRINCIPAL OF AND THE INTEREST ON THIS SERIES OF BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; DELEGATING TO THE CITY MANAGER THE DETERMINATION OF CERTAIN MATTERS AND DETAILS CONCERNING THIS SERIES OF BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; AUTHORIZING THE PUBLIC SALE BY COMPETITIVE BID OF THIS SERIES OF BONDS AND AUTHORIZING THE CITY MANAGER TO PUBLISH A NOTICE OF BOND SALE; APPROVING THE FORMS OF THE OFFICIAL NOTICE OF BOND SALE AND OFFICIAL BID FORM; AUTHORIZING THE CITY MANAGER TO AWARD THIS SERIES OF BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; APPOINTING A PAYING AGENT AND A BOND REGISTRAR; PROVIDING FOR THE PRINTING AND USE OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT; COVENANTING TO PROVIDE CONTINUING DISCLOSURE IN CONNECTION WITH THIS SERIES OF BONDS IN ACCORDANCE WITH SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12 AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE COMMITMENT WITH RESPECT THERETO; AUTHORIZING A BOOK-ENTRY REGISTRATION SYSTEM FOR THIS SERIES OF BONDS; AUTHORIZING CERTAIN OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE OF THIS SERIES OF BONDS; AND PROVIDING AN EFFECTIVE DATE.

*This Commission Agenda Report (11-1196) and Commission Agenda Report 11-1261 (CR-16) as relates to this item were revised in accordance with Memorandum 11-254. See announcement on page 32.

**AMEND OPERATING BUDGET - APPROPRIATION - NOT TO EXCEED (CR-16)
\$36 MILLION - GENERAL OBLIGATION REFUNDING BONDS –
SERIES 2011A and 2011B***

See funding details attached to these minutes.

Amendment of fiscal year 2010-2011 final operating budget, by appropriating proceeds from General Obligation Bonds, Series 2011A and 2011 B.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1261

RESOLUTION NO. 11-231

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.

*This Commission Agenda Report (11-1261) as relates to Commission Agenda Reports 11-1161 and 11-1196 (CR-14 and CR-15) was revised in accordance with Memorandum 11-254 which is attached to these minutes.

**BOND COUNSEL - SQUIRE, SANDERS & DEMPSEY - NOT TO EXCEED (CR-17)
\$27,500 -SPECIAL OBLIGATION BONDS - SERIES 2011A AND 2011 B**

See funding details attached to these minutes.

Appointment of Squire, Sanders & Dempsey LLP as Bond Counsel for Special Obligation Bonds, Series 2011A and 2011 B - Radio Communications Microwave Replacement Project and amending fiscal year 2010-2011 final operating budget, by appropriating the funds.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1182

RESOLUTION NO. 11-232

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING THE LAW FIRM OF SQUIRE, SANDERS & DEMPSEY L.L.P. TO ACT AS BOND COUNSEL TO THE CITY OF FORT LAUDERDALE, FLORIDA IN CONNECTION WITH THE SPECIAL OBLIGATION BONDS SERIES 2011A AND SERIES 2011B AND AMENDING THE FINAL OPERATING BUDGET 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 3 - RIC-MAN CONSTRUCTION, INC. - \$176,052.29 (CR-18)
WATER MAIN IMPROVEMENTS PHASE 2 - ADD 123 CALENDAR DAYS

See funding details attached to these minutes.

Recommend: Motion to approve and adopt resolution.

Exhibit: Commission Agenda Report 11-1115

RESOLUTION NO. 11-233

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.

SIDEWALK EASEMENT TO BROWARD COUNTY- SAFE WALK ROUTE (CR-19)
FOR MEADOWBROOK ELEMENTARY SCHOOL - BROADVIEW PARK

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0942

RESOLUTION NO. 11-234

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION AND DELIVERY BY THE PROPER CITY OFFICIALS OF A SIDEWALK EASEMENT TO BROWARD COUNTY, FLORIDA SUBJECT TO CONDITION SUBSEQUENT WITH REVERSIONARY CLAUSE, SAID SIDEWALK BEING LOCATED IN THE BROADVIEW PARK NEIGHBORHOOD IN UNINCORPORATED BROWARD COUNTY

**ASPHALT SPEED CUSHION INSTALLATION ON SW 20 STREET
RIVER OAKS CIVIC ASSOCIATION**

(CR-20)

No cost to the City. See budget information attached to these minutes.

Recommend: Motion to approve and adopt resolution.

Exhibit: Commission Agenda Report 11-1003

RESOLUTION NO. 11-235

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING INSTALLATION OF FOUR ASPHALT SPEED CUSHIONS ON SW 20 STREET BETWEEN SW 19 AVENUE AND SW 15 AVENUE; ACCEPTING A CONTRIBUTION FROM EAST YARD PARTNERS, LLC I LAUDERDALE MARINE CENTER FOR TRAFFIC MITIGATION IN THE RIVER OAKS CIVIC ASSOCIATION 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 FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AND PROVIDING FOR AN EFFECTIVE DATE.

**SE 15 STREET BOAT LAUNCH AND MARINE COMPLEX
CONTRACT AWARD - \$198,297.68 - RESCIND AND REPLACE
BID TABULATION AND AMEND OPERATING BUDGET – APPROPRIATION**

(CR-21)

See funding details attached to these minutes.

Recommend: Motion to approve and adopt resolution.

Exhibit: Commission Agenda Report 11-1140

RESOLUTION NO. 11-236

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.

**CONSTRUCTION AGREEMENT - FLORIDA DEPARTMENT OF
TRANSPORTATION - ENTRYWAY SIGNAGE - NORTH BEACH
RESTAURANTS AND SHOPPES**

(CR-22)

No budgetary impact.

Construction Agreement with Florida Department of Transportation for entryway signage in right of way - North Beach Restaurants and Shoppes - Business Capital Improvement Program.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-1211

RESOLUTION NO. 11-237

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) IN CONNECTION WITH THE CONSTRUCTION AND INSTALLATION OF SIGN IMPROVEMENTS WITHIN THE STATE RIGHT-OF-WAY AT OAKLAND PARK BOULEVARD APPROXIMATELY 356 FEET FROM A1A FOR ENTRYWAY SIGNAGE FOR THE NORTH BEACH AREA OF FORT LAUDERDALE.

<p>PURCHASING AGENDA</p>

**STATE CONTRACT 680-370-07-1 - RAPID ID FINGERPRINT SCANNER – (PUR-01)
\$28,882.53**

See funding details attached to these minutes.

Purchase of fingerprint scanner equipment for on-scene subject identification purposes.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1165

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

112-10811 - VEHICLE/MOTORCYCLE CALIBRATION SERVICES – (PUR-02)
\$29,800

See funding details attached to these minutes.

One-year contract with three, one-year renewal options for vehicle/motorcycle calibration services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1169

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

INTELLIGENCE LED POLICING UNIT AND EVIDENCE WAREHOUSE (PUR-03)
\$64,243.08 - SERVERS AND SOFTWARE

See funding details attached to these minutes.

Purchase of computer servers and software for Intelligence Led Policing Unit and computer server for evidence warehouse.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1171

The Procurement Services Department has reviewed this item and approves the purchases utilizing the State of Florida contract and WSCA contract.

715-10763 - SECURITY GUARD SERVICES - MARINE FACILITIES - (PUR-04)
\$88,197

See funding details attached to these minutes.

One-year contract award, with option of three additional one-year terms, to provide security services for marine facilities.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1070

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

713-10814 - CUT PAPER CONTRACT - \$43,810.45**(PUR-05)**

See funding details attached to these minutes.

Purchase of cut paper.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 11-1105

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

**785-10058 - CONTRACT EXTENSION – EQUIPMENT
RENTAL BEACH CONCESSIONS - \$61,643.70****(PUR-06)**

See funding details attached to these minutes.

Ninety-day extension of beach concessions contract.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 11-1038

The Procurement Services Department has reviewed this item and recommends awarding the 90 day extension.

**712-10817 - INTERNET MANAGEMENT SOFTWARE SUPPORT –
\$27,499.95****(PUR-07)**

See funding details attached to these minutes.

Renewal of Websense Internet management software support license.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 11-1117

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

582-10064 - T-SHIRTS AND APPAREL CONTRACT EXTENSION - \$45,600 (PUR-08)

See funding details attached to these minutes.

One-year contract extension for t-shirts for recreation programs and staff uniforms.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0983

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

512-10790 - SCOREBOARDS - \$59,990 (PUR-09)

See funding details attached to these minutes.

Purchase of five scoreboards for installation at Croissant, Osswald, Mills Pond and Sunset Parks.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1109

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

512-10791 - RESURFACING FAST DRY TENNIS COURTS - \$76,927 (PUR-10)
JIMMY EVERT TENNIS CENTER

See funding details attached to these minutes.

Renovation of tennis courts at Jimmy Evert Tennis Center including resurfacing of the courts, new playing lines and patching of the courts.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1110

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

512-10800 - CONCRETE OUTDOOR PING PONG TABLES - \$12,347 (PUR-11)

See funding details attached to these minutes.

Purchase and installation of two concrete, outdoor ping pong tables for Fort Lauderdale Beach Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1112

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

B-11-67 - CO-OP CONTRACT FOR FERTILIZERS - \$60,000

(PUR-12)

See funding details attached to these minutes.

Purchase of fertilizers.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1113

The Procurement Services Department has reviewed this item and recommends approving purchases from the Southeast Florida Governmental Cooperative Purchasing Group.

215-10772 - POWERWASHING SERVICES ALONG FORT LAUDERDALE BEACH - \$57,000 - BEACH BUSINESS IMPROVEMENT DISTRICT

(PUR-13)

See funding details attached to these minutes.

Two-year contract with two, one-year renewal options for purchase of powerwashing services within Beach Business Improvement District.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1120

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

492-10310 - LABORATORY TESTING SERVICES

(PUR-14)

CONTRACT ASSIGNMENT FROM FLORIDA TESTING SERVICES, L.L.C.

No budgetary impact.

Assignment of laboratory testing services contract.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1095

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

403-10440 - LIQUID CHLORINE RAILCAR CONTRACT RENEWAL – (PUR-15)
\$434,970

See funding details attached to these minutes.

Purchase of liquid chlorine in railcars.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 11-1139

The Procurement Services Department has reviewed this item and recommends approval of the contract renewal.

415-10766 - JANITORIAL MAINTENANCE SERVICES CITYWIDE – (PUR-16)
\$163,636.72

See funding details attached to these minutes.

One-year contract with three, one-year renewal options, for citywide janitorial maintenance services.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 11-1094

The Procurement Services Department has reviewed this item and recommends an award to the highest ranking firm, Sunshine Cleaning Systems, Inc.

616-10632-4 - GENERAL ENVIRONMENTAL ENGINEERING (PUR-17)
CONSULTANT SERVICES

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

One-year continuing contract with three, one-year renewal options, for general environmental engineering consultant services.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 11-0943

The Procurement Services Department has reviewed this item and recommends approval and execution of the Agreement with Miller Legg & Associates, Inc.

**616-10632 - GENERAL ENVIRONMENTAL ENGINEERING
CONSULTANT SERVICES****(PUR-18)**

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

One-year continuing contract with three, one-year renewal options, for general environmental engineering consultant services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0944

The Procurement Services Department has reviewed this item and recommends approval and execution of the Agreement with Rare Earth Sciences, Inc. d/b/a HSA Engineers & Scientists.

**616-10632-5 - GENERAL ENVIRONMENTAL ENGINEERING
CONSULTANT SERVICES****(PUR-19)**

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

One-year continuing contract with three, one-year renewal options, for general environmental engineering consultant services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0945

The Procurement Services Department has reviewed this item and recommends approval and execution of the Agreement with Environmental Consulting & Technology, Inc.

**616-10631-3 - TRAFFIC AND TRANSPORTATION ENGINEERING
CONSULTANT SERVICES****(PUR-20)**

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

Two-year continuing contract with two, one-year renewal options for traffic and transportation consultant services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1130

The Procurement Services Department has reviewed this item and recommends approval and execution of the Agreement with Miller Legg & Associates, Inc.

616-10631-4 - TRAFFIC AND TRANSPORTATION ENGINEERING (PUR-21)
CONSULTANT SERVICES

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

Two-year continuing contract with two, one-year renewal options for traffic and transportation consultant services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1131

The Procurement Services Department has reviewed this item and recommends approval and execution of the Agreement with T.Y. Lin International.

505-10495 - INCREASE EXPENDITURE – FLEET (PUR-22)
MANAGEMENT AND MAINTENANCE - \$514,934

See funding details attached to these minutes.

Increase expenditure for fleet management and maintenance services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1081

The Procurement Services Department has reviewed this item and recommends increase in expenditure.

512-10812 - SUPPLEMENTAL FLEET PURCHASE – (PUR-23)
LANDSCAPING TRAILERS - \$32,772

See funding details attached to these minutes.

Purchase of three landscaping equipment trailers.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1156

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

115-10783 - WORKERS' COMPENSATION CLAIMS ADMINISTRATION (PUR-24)
SERVICES - \$380,000

See funding details attached to these minutes.

Three-year contract with one, one-year renewal option, for workers' compensation claims administration services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1133

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

115-10759 - THIRD PARTY ADMINISTRATOR FOR GROUP (PUR-25)
HEALTH PLAN - \$1,063,526

See funding details attached to these minutes.

Thirty-nine month contract with two, one-year renewal options, for third-party administrator for self-funded Group Health Plan.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1154

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

213-10813 - FOUR RADIOISOTOPE IDENTIFIER PACKAGES - \$93,500 (PUR-26)

See funding details attached to these minutes.

Purchase of chemical, biological, radiological, nuclear, explosive (CBRNE) detection equipment.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1213

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

162-9503 - INCREASED EXPENDITURE - EMS BILLING SERVICES – (PUR-27)
\$49,000

See funding details attached to these minutes.

Increase in expenditure for EMS billing services in the amount of \$49,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1142

The Procurement Services Department has reviewed this item and recommends approving the increase in expenditure.

Motion made by Commissioner Roberts and seconded by Commissioner Rodstrom that Consent Agenda Items PUR-10 and PUR-11 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Commissioner Rogers, Commissioner Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

AUTHORIZATION TO ISSUE GENERAL OBLIGATION BONDS – (CR-15)
SERIES 2011A - NOT TO EXCEED \$20 MILLION - FIRE RESCUE FACILITIES

AMEND OPERATING BUDGET - APPROPRIATION - NOT TO EXCEED (CR-16)
\$36 MILLION - GENERAL OBLIGATION REFUNDING BONDS –
SERIES 2011A and 2011B

Mayor Seiler announced a funding clarification for items CR-15 and CR-16 as set forth in Memorandum 11-254 which is attached to these minutes.

512-10791 - RESURFACING FAST DRY TENNIS COURTS - \$76,927 (PUR-10)
JIMMY EVERT TENNIS CENTER

Robert Walsh, 401 East Las Olas Boulevard, questioned the practicality of this expense, in light of the current economic downturn. He thought the cost should be incurred by players who utilize the courts, rather than all taxpayers. Mayor Seiler stressed that it is a primary objective to maintain safe tennis courts for the public. Phil Thornburg, Parks and Recreation Director, agreed and explained that this clay replacement process is completed every three years. The current cost is approximately \$1,000 less than in 2008. In response to Mayor Seiler, he explained that this 18-court center hosts four major national and international events, and numerous public players each day.

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

512-10800 - CONCRETE OUTDOOR PING PONG TABLES - \$12,347 (PUR-11)

Commissioner Rodstrom was opposed to this item. She felt there is a better use for these funds as the public has not expressed desire for ping pong tables on the beach. Phil Thornburg, Parks and Recreation Director, explained that it has been requested and discussed at some board meetings, but it is not a necessity. Commissioner Rodstrom thought the funds would be better spent on sidewalks for example. In response to Mayor Seiler, Mr. Thornburg explained that the Parks, Recreation and Beaches Advisory Board addressed this issue a few years ago, and thought it would be a positive addition to the south beach area. He noted the proposed Capital Improvement Program funding and the design. Mayor Seiler expressed desire for the Parks, Recreation and Beaches Advisory Board to submit a recommendation before moving forward.

Motion made by Commissioner Roberts and seconded by Commissioner Rogers to defer the item and refer it to the Parks, Recreation and Beaches Advisory Board. Roll call showed: YEAS: Commissioner Rogers, Commissioner Roberts, Commissioner Rodstrom, and Mayor Seiler. NAYS: None.

In response to Commissioner Rogers, Mr. Thornburg explained staff's plans with respect to the associated equipment. Commissioner Rodstrom noted that the Bahia Mar developer or a corporate donor might be a possibility.

MOTIONS

PROPRIETARY - REPLACEMENT BOMB TRANSPORT TRAILER – \$50,744.50 (MD-01)

See funding details attached to these minutes.

Purchase one replacement bomb transport trailer.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0954

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

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

PROPRIETARY - GEOGRAPHIC INFORMATION SYSTEMS SOFTWARE- \$36,400 - MAINTENANCE, UPDATES AND SUPPORT (MD-02)

See funding details attached to these minutes.

Annual maintenance, updates and support for GIS software.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1091

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

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

PROPRIETARY - PUBLIC SAFETY SYSTEMS - \$124,319.44 (MD-03)
MAINTENANCE FOR BACK OFFICE INFRASTRUCTURE

See funding details attached to these minutes.

Renewal of public safety systems annual maintenance for back office infrastructure with various vendors, contingent upon approval and appropriation of 2011-2012 fiscal year budget.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1167

The Procurement Services Department recommends approving the renewal of the annual public safety proprietary maintenance systems.

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

PROPRIETARY - TASERS - \$9,768.00 (MD-04)

See funding details attached to these minutes.

Purchase of twelve tasers for Police Department.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1179

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

In response to Commissioners Rodstrom and Rogers, Police Chief Frank Adderley explained that this is a budgeted item for replacement of existing equipment. The City Manager advised that it is possible to take advantage of the Law Enforcement Trust Fund (LETF), but some procedures must first be changed. In light of the fact that the LETF cannot be used for budgeted items, staff must look at items that are not budgeted. The items must be presented to the Commission by the Chief and consistent with his needs. In response to Commissioner Rogers, Police Chief Adderley clarified that staff utilizes the LETF when possible; the original purchase of these tasers was funded by it. Commissioner Roberts pointed out that only two hundred of the originally planned three hundred were purchased, so an additional one hundred new tasers can be funded by the LETF. He also pointed out that the City far exceeds the required percentage of LETF funds for community programs. Mayor Seiler agreed with Commissioner Rogers which was articulated by the City Manager that the City have a goal for the upcoming fiscal year of being more creative in finding uses for this source of funding.

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

PROPRIETARY - E-PROCUREMENT - \$21,000
SOFTWARE SUBSCRIPTION AND SUPPORT SERVICES

(MD-05)

See funding details attached to these minutes.

One-year renewal of e-procurement software subscription and support services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1048

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

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

PROPRIETARY - HARBOR BEACH MARRIOTT CONTRACT - \$17,490.20 (MD-06)
SOUTH FLORIDA CITIZEN CORPS CONFERENCE

See funding details attached to these minutes.

Contract with Harbor Beach Marriott to facilitate 2011 South Florida Citizens Corps Conference.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1144

The Procurement Services Department has reviewed this items and recommends approval of the proprietary purchase in accordance with City Ord. Sec. 2-189 (6).

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

In response to Mayor Seiler, Fire Rescue Chief Jeff Justinak confirmed that this event's purpose is to provide certification training to all South Florida Citizens Corps volunteers in Broward County; 155 individuals are expected to attend. In response to Commissioner Rodstrom, Freddy Zelaya, Emergency Management Coordinator, explained that volunteers receive annual training. Volunteers from West Palm Beach, Miami Dade and the State were also invited to attend. This event will be fully funded by a UASI (Urban Area Security Initiative) grant.

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

PROPRIETARY - CBRNE PATIENT SIMULATOR - \$97,559 (MD-07)
HOMELAND SECURITY METROPOLITAN MEDICAL RESPONSE
SYSTEM GRANT AWARD

See funding details attached to these minutes.

Purchase of CBRNE patient simulator.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1147

The Procurement Services Department has reviewed this item and recommends approving the grant funded proprietary purchase.

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

PROPRIETARY - PUBLIC WORKS TELEPHONE SYSTEM (MD-08)
MAINTENANCE – \$14,592

See funding details attached to these minutes.

Annual maintenance contract for Black Box telephone system for all Public Works facilities.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0941

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

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

In response to Mayor Seiler, Tim Edkin, Information Technology Services Director, confirmed that this is primarily funded by Public Works. If it is utilized by any of the enterprise accounts, the cost would be pro-rated. The City Manager noted that this is part of the cost recovery program.

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

PROPRIETARY - PASSUR PASSIVE RADAR HARDWARE AND SOFTWARE SUPPORT - \$26,717.47 - EXECUTIVE AIRPORT (MD-09)

See funding details attached to these minutes.

One-year renewal of PASSUR passive radar hardware and software support for Executive Airport.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1088

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

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

PROPRIETARY - PASSUR PORTAL, PULSE AND MODE-S ONLINE SERVICE - \$23,377.79 - EXECUTIVE AIRPORT (MD-10)

See funding details attached to these minutes.

One-year renewal of PASSUR Portal, Pulse, and Mode-S online service subscription for Executive Airport.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1089

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

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

**PROPRIETARY - ANOMS SOFTWARE SUPPORT - \$38,946.05 (MD-11)
EXECUTIVE AIRPORT**

See funding details attached to these minutes.

One-year renewal with Bruel & Kjaer EMS Inc., f/k/a Bruel & Kjaer Environment Management Solutions Inc., to provide ANOMS software support for Executive Airport.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-1087

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

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

RESOLUTIONS

AMENDMENT TO SITE PLAN LEVEL IV - SIDEWALK CAFE IN CENTRAL BEACH AREA - ST. BART'S CAFE - CASE 1-R-11A (R-01)

No budgetary impact

Applicant: 845 North Atlantic Boulevard, LLC
Location: 845 North Fort Lauderdale Beach Boulevard
Zoning: Sunrise Lane Area District (SLA)
Future Land Use: Central Beach Regional Activity Center (CRAC)

Recommend: Recommend approval to introduce resolution.

Exhibit: Commission Agenda Report 11-0953

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

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

Mayor Seiler opened the floor for public comment.

Fred Carlson, member of the Central Beach Alliance, noted although this is a personal endorsement, he indicated that a number of Alliance board members have also expressed their approval.

There was no one else wishing to speak.

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 11-212

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AMENDMENT TO A DEVELOPMENT PLAN TO APPROVE A SIDEWALK CAFÉ ON THE SIDEWALK ABUTTING THE PROPERTY LOCATED AT 845 NORTH FORT LAUDERDALE BEACH BOULEVARD IN FORT LAUDERDALE, FLORIDA, IN A SLA ZONING DISTRICT AS A SITE PLAN LEVEL IV DEVELOPMENT.

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

APPEAL - HISTORIC PRESERVATION BOARD - CASE 8-H-11
ALTERATION TO EXCHANGE LOFTS - 115 NE 3 AVENUE

(R-02)

No budgetary impacts.

Applicant: GS Exchange, LLC
Location: 115 NE 3 Avenue
Zoning: Regional Activity Center-City Center (RAC-CC)
Future Land Use: Downtown Regional Activity Center

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

Exhibit: Commission Agenda Report 11-1209

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

Mayor Seiler announced the item and the options available to the Commission.

Greg Brewton, Director of Planning and Zoning, provided a brief overview of background information as set forth in Commission Agenda Report 11-1209.

Mayor Seiler opened the floor for public comment.

Stephanie Toothaker, representing the Applicant, noted that the building's failing stucco was discovered after it was purchased in June, 2011. The current stucco is not an

original feature as it was added in 2006. The only original elements of this building are an arched entryway feature and a brick band that encompasses the building's ground floor, neither of which will be affected by the repairs. An extensive engineering review determined that the stucco on almost the entire building is failing. A life safety concern is posed if the stucco breaks and falls. The building was designated historic after it was renovated to be an apartment complex however a number of features were altered. She elaborated upon the previous developer's failed stucco repair method. Although the Applicant could repeat this failed process without the Historic Preservation Board's (HPB) approval, he would like to resolve this issue by fixing it properly. Currently, water is leaking into the building behind the stucco. She asked for the appeal to be considered on September 7, 2011. She quoted from the U.S. Secretary of Interior's website, defining rehabilitation and associated standards. The Applicant believes they are in compliance with these standards, and that the HPB departed from the essential requirements of the law by denying their request.

There was no one else wishing to speak.

In response to Commissioner Rogers, Ms. Toothaker confirmed that the proposed repairs will not alter the building's appearance and elaborated upon existing condition and their proposal. In further response, she pointed out that the Applicant provided a detailed description of the proposed repair process and safety issue at the July 12th HPB meeting. Discussion ensued between Commissioner Rogers and Ms. Toothaker regarding the Secretary of Interior's standards as related to the repairs and the HPB's decision. Ms. Toothaker reiterated that the building's historic materials will not be affected in any way by the repair and went on to note that the windows are not original.

In response to Commissioner Rogers, Merrilyn Rathbun, Fort Lauderdale Historical Society and Historic Preservation Board consultant, confirmed that the stucco wall cladding is not an original feature. The building was designated in 2005. In February 2006, a Certificate of Alteration (COA) was sought by a former owner to make actual windows from the existing blind ones. The building is a concrete column and beam frame with a fill wall comprised of hollow clay tile which was frequently used in the 1920's and 1930's. Although it was not part of the COA, the fill wall was removed when the building was altered which eliminated most of the building's historic character. New walls and stucco were then added. The HPB is uncertain how to proceed because this building is practically new construction, but must be held to the Secretary of Interior's strict standards because of its historic designation. In further response to Commissioner Rogers, she confirmed that this is a serious safety issue that must be resolved. Commissioner Rogers drew attention to the July 12, 2011 HPB Meeting minutes as set forth in Exhibit 1 of the Commission Agenda Report where Ms. Rathbun asserted that the proposed repairs will have no affect on the building's style, texture, materials, and the like. She confirmed that there is very little historic material remaining.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 11-213

A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF FORT LAUDERDALE, FLORIDA, REGARDING
THE APPEAL OF THE HISTORIC PRESERVATION
BOARD'S DENIAL OF THE APPLICANT'S REQUEST

FOR A CERTIFICATE OF APPROPRIATENESS FOR ALTERATION OF A DESIGNATED LANDMARK LOCATED AT 115 N.E. THIRD AVENUE, MAKING CERTAIN FINDINGS AND SETTING THE DATE FOR THE PUBLIC HEARING OF HISTORIC PRESERVATION BOARD CASE 8-H-11 BEFORE THE CITY COMMISSION AT 6:00 P.M. ON SEPTEMBER 7, 2011.

Which resolution was read by title only.

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

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

BOARD AND COMMITTEE APPOINTMENTS

(R-03)

No budgetary impact

Recommend: Introduce resolution.

Exhibit: Commission Agenda Report 11-1080

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

Beach Redevelopment Board	Aiton J. Yaari (Commissioner Rogers)
Board of Adjustment	Henry A. Sniezek (Consensus) Fred Stresau (Consensus)
Budget Advisory Board	Nadine Hankerson (Commissioner DuBose) June Page (Commissioner Roberts) Anthony Timiraos (Commissioner Roberts) Andrew W. Russo (Commissioner Rogers)-(effective 10/1/2011) Mark Snead (Commissioner Rogers)
Community Services Board	Donald Ray Karney, III (Mayor Seiler) Helen Hinton (Commissioner DuBose) Jasmin D. Shirley (Commissioner DuBose) Jeannine Richards (Commissioner Rogers) David Tilbury (Commissioner Rogers)
Marine Advisory Board	Chad Moss (Commissioner Rogers)
Parks, Recreation and Beaches Board	Cindy Bucher (Commissioner DuBose) Larry Mabson (Commissioner DuBose) Matthew L. Weiss (Commissioner Rodstrom) Joseph Bellavance (Commissioner Rogers)

Sean Fee (Commissioner Rogers)
R.L. Landers (Commissioner Rogers)

Commissioner Rogers introduced the following resolution:

RESOLUTION NO. 11-214

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

CITIZEN PRESENTATIONS

CHRISTINE TIMMON - U.S. CONSTITUTION AND IMMIGRATION

(CIT-01)

No budgetary impact.

Ms. Timmon referred to a news article, indicating that the United States Supreme Court recently ruled that citizens can challenge federal statutes when they encroach on the states' authority. A copy of the news article was made part of the record. She elaborated upon her experience with federal court and her studies of this topic. She felt this ruling is the result of unnecessary federal laws enacted over the past 50 years. She asked that local officials verify the ruling. She elaborated upon the Constitution as it relates to immigration. She contended that the State of Florida spent \$2 billion last year on healthcare for non-citizens. She raised the issue of homelessness among American citizens and was frustrated that citizens are often denied public assistance, though it is granted to non-English speaking individuals.

ROBERT WALSH – HOSPITAL CARE COST

(CIT-02)

No budgetary impact.

Mr. Walsh felt the economic downturn has drawn some unsuitable individuals into the healthcare field. Therefore, he urged the public to be watchful of hospital healthcare workers. He elaborated upon the importance of using hand sanitizer to avoid infection in hospitals. He suggested that medicare recipients carefully review their statements and noted choices available to them. He felt that medicare is an entitlement, not a benefit, and recipients should receive good service.

ANA CAMPOS – ENFORCEMENT OF LIGHTING ORDINANCE**(CIT-03)****No budgetary impact.**

Ms. Campos asserted that City street lights on A-1-A are mortally harmful to sea turtle hatchlings which are an endangered species. She believed the City's lighting ordinance is not being enforced. She provided a filmed presentation concerning this matter. A copy of the DVD was made a part of the record. She pointed out volunteers work to save these turtles and that educating hotels on this matter is not working. She strongly urged that the lighting ordinance be enforced and that the City work with beachfront property owners for compliance.

**BROWARD PARTNERSHIP FOR THE HOMELESS – PROPOSED
CHANGES FOR HOMELESS ASSISTANCE CENTER LOCATED AT
600 WEST SUNRISE BOULEVARD****(CIT-04)****No budgetary impact.**

Frances Esposito, Chief Executive Officer, Broward Partnership for the Homeless, asked the Commission to consider proposed modifications to Ordinance C-97-21 which was adopted in 1997, prior to the Homeless Assistance Center's opening, to assure the public that it would be a quality operation. She indicated that the following are the proposed substantial changes: opening their programs to other homeless providers; implementing a dental care program; and reconstituting the neighborhood advisory board. She noted a possible 100-bed expansion. Commissioners Roberts and Rodstrom offered congratulations for the center's success and expressed support for the ordinance modifications and program expansion. Mayor Seiler asked staff to include this on the September 7 conference agenda.

RICHARD WHITECLOUD – ENDANGERED SEA TURTLES**(CIT-05)****No budgetary impact.**

Mr. Whitecloud indicated that over 6,000 sea turtle hatchlings in the city have been disoriented by artificial lighting. He stressed that the beach is a nesting habitat. He offered the Commission a guided beach tour to view the situation. He believed the City's lighting ordinance has not been enforced since its adoption eight years ago. He elaborated upon the efforts made by his staff of volunteers to deal with this issue. He felt the City should comply with their lighting ordinance before imposing it on others.

In response to Mayor Seiler, Susanne Torriente, Assistant City Manager, explained that the City has been working with the Florida Fish and Wildlife Commission (Fish and Wildlife) and FDOT (Florida Department of Transportation) since it was found non-compliant in 2006. In September, installation will begin for new lighting approved by Fish and Wildlife which will take four to six months. There will only be lights on sidewalks and the roadway with none visible from the beach. She elaborated upon the status of the City's code enforcement cases that were opened at the beginning of nesting season. She indicated that the Sustainability Advisory Board would like to review this issue and

provide a recommendation. Mayor Seiler stressed that City lighting should be compliant. In response to Mayor Seiler, Donald Morris, Beach Community Redevelopment Agency Director, explained that the new lighting will be installed by the next nesting season. The current acorn-style lights have hoods that were approved by Fish and Wildlife; these will be replaced with retrofitted fixtures. Commissioner Rodstrom recalled that the delay was caused by a lack of established criteria as to the correct type of light. Staff is pushing forward with enforcements measures to the hoteliers. The concern will be with the area where no compliant lighting funding is available. Mr. Morris explained that the replacement lighting will be placed from the Bahia Mar to Sunrise Boulevard. At her request, he outlined the extent of funding being used for this lighting project, reaching to over \$2 million. Commissioner Rodstrom pointed out that the grant funds awarded to the City could have been used for other purposes, but were chosen for this.

PUBLIC HEARINGS

AMENDMENT TO 2010-2011 ANNUAL ACTION PLAN - \$85,000 (PH-01)
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

See funding details attached to these minutes.

Program Amendment to 2010-2011 Annual Action Plan of 2010-2015 Consolidated Plan - Community Development Block Grant Program.

Recommend: Open hearing, close hearing, motion to approve.

Exhibit: Commission Agenda Report 11-1098

In response to Mayor Seiler, the City Manager explained that this meets the Commission's intent to restore the same funding level as the 2010-2011 program year and completes staff's work on the Annual Action Plan. This was derived from unused economic development activity funds.

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

In response to Commissioner Roberts, the City Manager indicated that he addressed this issue with Vice Mayor DuBose and believes this item is consistent with his expectations.

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

**HISTORIC LANDMARK DESIGNATION - COCA-COLA BUILDING
400 SOUTH ANDREWS AVENUE - CASE 9-H-10****(PH-02)****No budgetary impacts.**

Owner: Legacy Development of Broward, LLC
Applicant: Broward Trust for Historic Preservation
Location: 400 South Andrews Avenue
Zoning: Regional Activity Center - City Center (RAC-CC)

Recommend: Open hearing, close hearing, introduce resolution.

Exhibit: Commission Agenda Report 11-0977

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

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

RESOLUTION NO. 11-215 *

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING THE BUILDING AND PROPERTY THAT IS LOCATED AT 400 SOUTH ANDREWS AVENUE, FORT LAUDERDALE, FLORIDA AS A HISTORIC LANDMARK PURSUANT TO SECTION 47-24.11 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS.

*Resolution was revised. See discussion and revised title on page 50.

Patricia Rathburn indicated that she will register with the City as a lobbyist for the Applicant. She noted this building design by Courtney Stewart is mirrored to one he designed in Ocala which has been on the national register of historic places since 1979. She displayed a photograph of building (Figure 8 of memorandum, dated December 29, 2010, from Merrillyn C. Rathburn, Historic Preservation Board consultant). Although the interior was totally re-done as a lighting store, the building itself was preserved in its entirety and is a sterling example of what could be done in Fort Lauderdale. She was confused with the Historic Preservation Board's (HPB) discussion of this building meeting the criteria for landmark designation being combined with discussion about the garage which has nothing to do with the decision about designation.

In response to Mayor Seiler's request, Ms. Rathburn noted with whom she has met on this matter.

Ms. Rathburn indicated that the garage design has changed, but emphasized the topic this evening is about the building being designated. The HPB recommended on February 7, 2011 that the building be designated. She referred to a comment that a former president of the historical society had said that nothing inside was worth saving, it was only the façade. As a former president of the historical society herself, she could not imagine anyone saying that just because the interior is not historic, the building itself

is not. The beauty of this building is that the interior can be re-used. With recommendations by the HPB, Broward Trust for Historic Preservation, Florida Trust for Historic Preservation, Historical Commission of Broward County and favorable comments by many members of the City Commission, she did not think there should be any delay in making the designation in order to wait for an adjacent property owner to go through the site development process.

Susan McClellan, chair of the Historic Preservation Board, displayed photographs of two Coca-Cola buildings in Trenton and Ocala, Florida, that were made a part of the record. She commented on adjustments made by the Florida Department of Transportation in the planning of a highway to accommodate the Ocala building. She believed that the building in Fort Lauderdale was meant to be viewed from all sides. She used one photograph showing the rear of the Ocala building and the original garage awnings and bollards and emphasized it could be a place for a restaurant, newspaper vending and so forth. She also displayed the existing site plan where she had sketched the original footprint. The building originally occupied Lots 10, 11 and 12. She believed the parking and gate area are sacred and part of the building's character, that is, an additional 20 feet from the original building for the garage and awnings and a few more feet for the gate. There are windows on the side of the building so that loading the bottles onto the trucks could be seen. Photographs showing the wing walls and gate areas as well as the awnings in the rear area are attached to these minutes.

Commissioner Rogers requested clarification of what is she suggested be included. Ms. McClellan clarified that beyond the building there is an angled part and a gate. Commissioner Rogers and Mayor Seiler questioned reference on the application to 1.9 acres. The City Attorney indicated it appears that the application departs from what is now being requested which is less than 1.9 acres. The Commission may approve designation of the building itself and not the entire parcel. A limited buffer area to protect the building could be included or the building footprint. Commissioner Rogers thought there appears to be a way to save this building, however, it did not appear that all of the parties were on the same page when the matter last came before the Commission. The part of the warehouse that was added later is not historic. Ms. McClellan advised that the parking awnings were original. Commissioner Rogers noted that they were modified through the years. Ms. McClellan referred to comment of 20 feet and that another 15 feet would allow the gate to be included. Commissioner Rogers agreed that as much as financially and practically feasible, the building should be buffered. Ms. McClellan agreed, so that it may be enjoyed from all sides. Ms. Rathburn indicated that the current plan preserves the entire building with the awnings and gates. The only issue now is the buffer. However, the buffer area is not part of the historic designation. Broward Trust would like as much of a buffer as possible.

Commissioner Rogers wanted to designate the footprint, but the owner's needs need to be accommodated. Ms. Rathburn was encouraged with the progress made in meeting with the owner, but went on to explain that the Broward Trust would like the entire building including the wing area and awnings to be preserved. Discussion ensued concerning the wing/gate areas on both sides of the building. Ms. McClellan pointed out the (wing) wall was part of the awning structure. Therefore in order to retain the awnings, the wall on both sides would also be kept. Commissioner Rogers commented if the wing walls have been torn down or have been built around, he would still be happy with a buffer. Ms. McClellan believed it still exists; there needs to be a buffer in order to enjoy the building from all sides.

John Milledge, representing Legacy Development of Broward, LLC, the property owner, noted this was deferred from May in order to present the county court garage site plan before the Commission and be able to prepare a plan that would be complimentary and compatible. The entire site will be owned by the County. The intent is to have a win, win for everyone and along those lines, he noted all of their meetings with the various interested parties. Legacy has incorporated changes at the request of the historic community. He highlighted some of the project's chronology. He provided an outline, identifying major issues with the garage that have either been resolved or indicates how they will be resolved which is attached to these minutes. He requested conceptual approval of the site plan, recognizing it is non-binding. As to designation, Legacy has no objection to designating the footprint of the existing habitable Coca-Cola building.

In response to Mayor Seiler, Mr. Milledge believed 1.9 acres is the entire site and the original application was for the entire site. Reference to the original footprint of the building is beyond the existing footprint today. With that footprint plus another 15 feet, the one thousand-space garage cannot be built. The plans have been provided to the Applicant.

Jeff Lis of Stiles Corporation, also representing the property owner, displayed and reviewed the proposed garage footprint and site rendering. Copies are attached to these minutes. The proposed garage actually surrounds the Coca-Cola building. He provided an engineering drawing, which was made a part of the record, showing the Coca-Cola building footprint of .1 acres or a little over 4,500 square feet. They have moved the storefront to create a more open area and a width of about 18 feet at the ground floor level. There will be shed awnings to simulate and honor the metal ones. Overall, there is a collaborative design picking up some architectural elements of the new courthouse. In response to Mayor Seiler, Mr. Lis detailed what will be done during the project with respect to the Coca-Cola building, including painting it to match the one in Ocala. He went on to enumerate involvement of Tony Abbate, consulting architect.

Mayor Seiler recalled in the early 1970's a lot of work was done by Selkirk to the Coca-Cola building. He asked about building plans that would show what was done. Anthony Abbate, also representing the property owner, indicated he was retained to review their plans in the context of compliance with the Secretary of Interior's standards. However to respond to Mayor Seiler, he advised that he has the original design drawings prepared by Courtney Stewart. Most of the remodels did not alter the building that much. As to the disposition of the shed and parking area for the trucks, this is the Commission's core decision. If this was designated historic, it would require restoring that area which would be quite different than the proposed development model. The proposal is to create a pedestrian-oriented corridor with a fourteen foot buffer on the north to the building edge and an additional four feet to the nearest storefront which would be a café, and a twelve foot separation on the east side. The original gates no longer exist. Restoration of the gates are proposed to be used at the entrances to the alleyway so to speak, which he likened to the walkway at the Downtowner Pub. Parts of the structure, an open web steel joist with corrugated metal roof, may be restored within the alleyway so that one could experience the construction of what was. However, it will be contingent upon what is discovered during demolition. If it is not present, it is best not to replicate, but rather accept that it

is not there. His focus has been with Paragraphs 9 and 10 of the Secretary of Interior's standards having to do with new additions, exterior alterations and related new construction. He noted all of the work that has taken place with City staff, Legacy's architects and the Applicant to find a solution that optimizes both the goal of creating the garage with zero impact to the historic resource.

Mr. Abbate confirmed for Commissioner Roberts that a decision was made not to replicate the Coca-Cola building in the garage design because it would diminish its architectural character. The garage design is contemporary, but it follows many of the (Coca-Cola building) proportional systems so there is a consistency.

Mr. Milledge emphasized that only the existing building meets the designation criteria. As the Property Owner would like to move forward with the plans, he reiterated the request for conceptual approval.

Ms. Rathburn thought it would be premature to consider conceptual approval of something that is not on this evening's agenda. She noted that the building meets the designation criteria. The Sabal Palms anticipated to be used to buffer the garage from the Coca-Cola building have been noted as sixty-five feet in height. Sixty-five feet is as high as a Sabal Palm will grow and does not grow to that height in urban environments. The rendering displayed this evening is not a reality. The awnings, which are an integral part of the building and a part of the application, were approved by the HPB. Representatives of the Broward Trust who met with the Property Owner left thinking that the awnings would be preserved. Also, a buffer needs to be in proportion to the height of the building. Moving the first floor back four feet does not accomplish anything. She questioned how the garage would be only eleven feet from the right of way when Publix sits back twenty-five feet. However, this evening is about designating the Coca-Cola building and the application included the awnings and the wings.

In response to Commissioner Rogers, Ms. Rathburn understood from Alysa Plummer that the application was amended to specific the structure, the awnings and the wings. Commissioner Rogers was concerned about acting on an inconsistent application because it indicates 1.9 acres or the entire site. Mayor Seiler referred to testimony of the Applicant's representative when this item was last before the Commission and his concern that the record is not complete and accurate. He asked if staff was aware of any amendment to the application. Anthony Fajardo, Planning and Zoning, explained that the application calls for a legal description. The acreage is listed. The ordinance does not make a distinction between the building or the site. The Commission may decide what part or parts are designated. The City has not received any amendment from the Applicant. In response to Commissioner Roberts, he noted that the report of the HPB consultant in her memorandum of December 29, 2010 does not describe the exact site.

Commissioner Rogers asked if something no longer exists, can it nevertheless be designated. Ms. Rathburn was not certain but went on to comment that whatever portions existed could be included. Commissioner Rogers had visited that building a while ago and indicated he did not see what is depicted in Ms. McClellan's photographs presented this evening. Mr. Abbate advised that he has not been able to determine that it exists. The HPB consultant report mentions that it was demolished or taken away as a result of various remodels. It will not be possible to confirm if it exists

until the demolition is underway. The code gives the Commission discretion in determining what is of value. Commissioner Rogers asked about the logic that with the proposed parking garage and the goal of encouraging pedestrian traffic, a better use of the area (awning and loading dock area) would be for pedestrians. Mr. Abbate advised that is outside the guideline standards and consequently a decision of the Commission. The law concerning a historic resource does not come into play until the resource is defined, which is the Commission's role.

Mayor Seiler raised the idea of designating structure as depicted in Figures 3 and 4 of the consultant report in her memorandum of December 29, 2010. In response to Commissioner Roberts, Mr. Abbate advised that proposed buffer is an open space to the sky around the entire building for pedestrians. Discussion then turned to a wing on SE 7 Street to the east of the edge of the building footprint. Mr. Abbate indicated that, in referring to the original floor plan, it appears the wing is only a segment of the original wall. In the context of reading the report and how it has been discussed thus far, he sees the footprint as that of the building itself. The wing walls and canopy extensions have been modified quite a lot and parts have been destroyed. In response to Commissioner Rogers, Mr. Abbate advised that the McLaughlin Engineering Company survey of January 20, 2011 (provided by John Milledge, depicts the building proper and does not describe the wing walls. There is a two-foot pillister on the north that is not shown but is reflected in the Property Owner's renderings, which he thought is an important element to preserve.

In response to Ms. Rathburn, Mayor Seiler clarified that he did not think Ms. Rathburn was confused but rather that sometimes there is some confusion. Ms. Rathburn referred to the February 7, 2011 HPB meeting minutes to clarify the application amendment and the approval motion. A copy of this excerpt of the minutes is attached to these minutes. As to use of the awning area, she pointed out that the Applicant is planning a restaurant on the first floor and this would be a excellent outdoor site. It would enhance the pedestrian aspect of the building. She suggested deferring for sixty days so that surveying could be performed and a determination of what remains could be made. She was concerned that questions are being posed about the awnings when the HPB's recommendation included the building and the buffer which includes the awnings meets the criteria. She believed the columns still exist. Ms. McClellan suggested staff work with a surveyor to determine what exists. Commissioner Rogers was concerned about the time and cost. A more detailed discussion ensued concerning the awnings. Ms. Rathburn noted that the Trust would like a space of 90.10 feet on 7th Street and 81 feet on Andrews Avenue. Ms. McClellan advised this is a little less than what was requested when the item was before the HPB. Mr. Milledge was opposed to a deferral and indicated a deferral would threaten whether the project moves forward at all. He referred to Mr. Abbate's comment of a possible two-foot appurtenance on the northwest portion and indicated that the Property Owner would not object to designating everything in the McLaughlin survey and the two-foot appurtenance. This would preserve everything that is legally defensible. He was concerned that the Applicant has varied their request and it is not legally described. The McLaughlin survey, with the two-foot appurtenance, is legally described and defensible and meets the criteria. He wanted to move forward.

In response to Mayor Seiler, it was determined that because Mr. Lis is an agent for the property owner, he should register as a lobbyist.

Ms. Rathburn did not agree with Mr. Milledge's objection to a 30 or 60-day deferral. The designation request is for the building footprint, canopies and wing walls, comprising 81 feet on Andrews Avenue and 90 feet, 10 inches on 7th, which was approved by the HPB. Staff was to secure a legal description, but that has apparently not been done.

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: Commissioners Rogers, Roberts and Rodstrom and Mayor Seiler; NAYS: None.

Mayor Seiler commented about concern over the previous deferral. There was some confusion at the meeting on the part of the Applicant, but he did not think there was any intentional misstatement. He questioned how the Commission should approach this now. As a member of the courthouse task force, he did not want to see the garage delayed or the Coca-Cola building destroyed in any way. Therefore, he wanted to designate the building as it is known to exist which he believed is shown in Figures 3 and 4 of the HPB consultant report, which includes a two-foot buffer.

Commissioner Rogers introduced the following resolution, specifying the footprint as depicted on the McLaughlin Engineering Company survey of January 20, 2011, with the addition on the northwest corner of approximately two feet of overhang from the dimensions. The survey is attached to these minutes. He was going to take the Owner's word that they will provide a pedestrian-friendly buffer area. Commissioner Roberts thought that although this is not what everyone really wanted, it is a win-win.

RESOLUTION NO. 11-215

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING THE BUILDING AND PROPERTY, AS DEPICTED IN THE JANUARY 20, 2011 MCLAUGHLIN SURVEY ATTACHED AS EXHIBIT "A," AND ON THE NORTH WEST CORNER AN ADDITIONAL TWO SQUARE FEET, OR THAT WHICH IS NECESSARY TO INCLUDE THE EXISTING PILASTER, THAT IS LOCATED AT 400 SOUTH ANDREWS AVENUE, FORT LAUDERDALE, FLORIDA, AS A HISTORIC LANDMARK PURSUANT TO SECTION 47-24.11 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS.

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

In response to Mr. Milledge's request for non-binding conceptual approval of the garage plan, Mayor Seiler advised that he loves the plan that distinguishes and respects the historic structure as standing apart from the garage. He had a similar concern as Ms. Rathburn and Ms. McClellan with respect to the tree height. Commissioner Roberts thought the conceptual design is good. Mayor Seiler asked that the Property Owner continue to work with Ms. Rathburn and Ms. McClellan.

REINSTATEMENT OF DEVELOPMENT PLAN - GEORGIAN OAKS – (PH-03)
CASE 1-Z-PUD-03**No budgetary impact**

Applicant: Centerline Homes Group Seven LLC
Address: 1624 SW 23 Street
Current Zoning: Planned Unit Development (PUD)
Proposed Zoning: Planned Unit Development (PUD)
Future Land Use: Residential-Medium

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

Exhibit: Commission Agenda Report 11-1116

Members of the Commission announced with whom he or she had spoken with and/or site visits made concerning this matter; Commissioner Rodstrom announced the disclosures were the same as those indicated on prior considerations.

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

Thomas Tynner of 1521 SW 22 Street, believed the community was deceived. The original Planned Unit Development (PUD) was very community and pedestrian-friendly with walkways and berms on the eastern perimeter. The previously seated commission gave the entire easement to the developer and in turn, he constructed a wall. There is now a flooding problem on 15 Avenue and water comes up to the edge of his house on 22 Street which has never happened before. He questioned if the easement could be legally abandoned. The western perimeter was addressed; there is a walkway. During dialogue between members of the Commission and Mr. Tynner noted that the original fence was fifteen feet further to the west and it was moved. Mayor Seiler noted that in 2005 the City transferred title to the property to Georgian Oaks LLC via deed. Mr. Tynner contended a walkway was part of the original PUD.

In response to Mayor Seiler, Greg Brewton, Director of Planning and Zoning, advised that according to the minutes the Development Review Committee (DRC) decided that certain sidewalks were not needed on the north side of SW 20 Street. He recalled that there are sidewalks in the project, but some were not included based on the design based on the Engineering Division's recommendation. In response to Commissioner Rogers, Mr. Brewton indicated that the entire project would need to be complete to reflect any drainage issues. This project was not completed therefore most of the improvements have not been made. Mayor Seiler asked if there are any incomplete drainage aspects, Jon Keith, representing the Applicant, highlighted components of the project. A wall has been constructed around the project to help prevent drainage to neighboring properties. The project is 95 percent constructed. A little bit of earth work associated with perimeter berms that will stop any other stormwater going to neighboring properties has not yet been done. Mr. Brewton believed there will be a substantial change once the project is completed. Commissioner Roberts noted recent work on adjacent property to help address the neighborhood's (stormwater retention) problems. Mr. Keith advised that the berming will be finished within the next sixty days and

hopefully sooner. Mr. Keith assured Commissioner Rogers that Centerline Homes would work with Mr. Typner and the other area neighbors. Mr. Keith went on to mention that they have met with River Oaks Civic Association three times in the last four months and received their support.

Bud Moore, 1715 SW 21 Street, indicated that he also has a flooding problem, that is 21 and 22 streets to 24 Avenue. His home is three lots away from the west side of the fence. He discussed the flooding problem that has been created and his suggested solution. He added that the developer damaged the wall. Mayor Seiler advised that the developer is required to make that repair. Mr. Moore was also concerned that new trees were installed under the power line where trees were previously removed as a result of a hurricane. In response to Commissioner Rodstrom, Mr. Brewton indicated that the Commission could impose a condition to approval with respect to mitigating water runoff. Commissioner Rodstrom thought the Applicant should be required to mitigate the runoff on the neighborhood side.

Shirlee Sandler, 1650 SW 20 Street, asked if any changes are being made to the development. In response to Commissioner Rodstrom, the City Attorney explained this item is to reinstate the site plan which expired. The PUD zoning is still in place. Commissioner Rogers pointed out that the site plan must remain the same, but he understood there are design changes to the houses.

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: Commissioners Rogers, Roberts and Rodstrom and Mayor Seiler; NAYS: None.

Commissioner Rogers emphasized that the drainage needs to be addressed. He introduced the following ordinance on FIRST reading, with the condition that the drainage be properly managed and the Applicant work with staff on it:

ORDINANCE NO. C-11-19

AN ORDINANCE READOPTING A DEVELOPMENT PLAN THAT HAS EXPIRED FOR THE PROJECT KNOWN AS GEORGIAN OAKS APPROVED PURSUANT TO ORDINANCE NO. C-04-21, REZONING PROPERTY FROM RD-15 TO PLANNED UNIT DEVELOPMENT (PUD) AND ESTABLISHING THE DEVELOPMENT STANDARDS FOR THE PROPERTY LOCATED SOUTH OF SOUTHWEST 20TH STREET, NORTH OF SOUTHWEST 24TH STREET, BETWEEN SOUTHWEST 17TH AVENUE AND SOUTHWEST 15TH AVENUE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

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

Mayor Seiler asked that the Applicant also speak with Mr. Moore.

ORDINANCES

CODE AMENDMENT - REVERSE AUCTIONS**(O-01)****No budgetary impact****Recommend:** Recommend approval; introduce ordinance on first reading.**Exhibit:** Commission Agenda Report 11-1166

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-11-20

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTIONS 2-173 AND 2-180 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY CREATING AND ADDING A DEFINITION OF "REVERSE AUCTION" AND AUTHORIZING THE USE OF REVERSE AUCTION FOR THE PROCUREMENT OF COMMODITIES, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

Mayor Seiler noted this is simply another tool and optional.

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

**CONVENIENCE AND LIQUOR STORE MORATORIUM
NORTHWEST PROGRESSO FLAGLER HEIGHTS
COMMUNITY REDEVELOPMENT AREA****(O-02)****No Budgetary Impact****Recommend:** Recommend approval; introduce ordinance on second reading.**Exhibit:** Commission Agenda Report 11-1199

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-11-17

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, IMPOSING A MORATORIUM WITHIN THE CITY OF FORT LAUDERDALE ON THE ACCEPTANCE

BY CITY OF AN APPLICATION FOR OR ISSUANCE OF A PERMIT FOR A LIQUOR STORE OR CONVENIENCE STORE ON PROPERTY LOCATED WITHIN THE NORTHWEST-PROGRESSO-FLAGLER HEIGHTS COMMUNITY REDEVELOPMENT AREA FOR A PERIOD OF ONE YEAR; PROVIDING FOR A STUDY OF THESE USES AND THEIR IMPACT ON THE AREA, AND RELATED REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.

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

**BOARD AND COMMITTEE RESIDENCY MEMBERSHIP
REQUIREMENTS AND REORGANIZATION**

(O-03)

No budgetary impact.

Recommend: Recommend approval; introduce ordinance on second reading.

Exhibit: Commission Agenda Report 11-1111

In response to Commissioners Roberts and Rodstrom, the City Clerk advised that the term of the Audit Advisory Board membership could be adjusted to fiscal year, considering their review of the comprehensive annual financial report, by amending the board's enabling ordinance. As to adjusting what constitutes a quorum (for Budget Advisory Board), this would also be addressed by a separate ordinance.

In response to Mayor Seiler, the City Clerk indicated that residency is addressed by a separate ordinance. This ordinance clarifies the ordinance that was adopted in January relating to relaxing the membership requirements. Mayor Seiler noted he is opposed to that change in the membership requirements. The City Clerk advised that this ordinance does not help with his opposition. The City Attorney indicated that provision is incorporated and reflected in Section 2-217. The City Clerk explained how this ordinance reorganized how boards were treated in the Municipal Code and Unified Land Development Regulations. In further response to Mayor Seiler, the City Clerk indicated there is no timing issue with respect to possibly deferring the item. Mayor Seiler recognized that he had been the only one on the Commission opposed to changing the residency requirement, therefore, the Commission could proceed with a vote. Mayor Seiler opened the floor for public comment.

Darlene Pfeiffer, trustee of the pension board, noted that trustees are elected. She asked about the provision that a city employee may serve as a voting member on a board, as long as he or she is appointed by a body other than the city commission. The City Attorney explained that the board's composition is created by the enabling ordinance; the provision does not apply.

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-11-18

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 2, ARTICLE VII, BOARDS, COMMISSIONS, ETC.; DELETING DIVISIONS 3, 5 AND 8 OF CHAPTER 2, ARTICLE VII, BOARDS, COMMISSIONS, ETC.; AMENDING SECTION 7-32, COMPOSITION, QUALIFICATIONS, APPOINTMENT, COMPENSATION, SECTION 9-88, COMPOSITION, QUALIFICATIONS, COMPENSATION, AND SECTION 9-258, ENFORCEMENT; SERVICE OF NOTICES AND ORDERS; APPEALS BOARD; HEARINGS OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA; AMENDING ORDINANCE NO. C-71-56, ORDINANCE NO. C-96-16, AND ORDINANCE NO. C-10-48 OF THE CITY OF FORT LAUDERDALE, FLORIDA; AND AMENDING CHAPTER 47, ARTICLE IX, ADMINISTRATION AND BOARDS, OF THE UNIFIED LAND DEVELOPMENT REGULATIONS (ULDR) OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROVIDE UNIFORM BOARD AND COMMITTEE MEMBERSHIP REQUIREMENTS, REVISE THE METHOD FOR CODIFICATION OF ADVISORY BOARDS, AND PROVIDING FOR CODIFICATION, SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

Which ordinance was read by title only. Roll called showed: YEAS: Commissioners Rogers, Roberts and Rodstrom. NAYS: Mayor Seiler.

Note: The City Commission adjourned the regular meeting at 10:12 p.m. and returned to the conference meeting agenda, Commission Reports, from 10:12 p.m. to 10:39 p.m. The Commission then convened as the Community Redevelopment Agency Board of Directors from 10:39 p.m. to 11:10 p.m. The Commission then returned to the conference meeting agenda from 11:10 p.m. to 11:15 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk