

**FORT LAUDERDALE CITY COMMISSION REGULAR MEETING**  
**FEBRUARY 21, 2012**

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**MINUTES OF A REGULAR MEETING  
CITY COMMISSION  
FORT LAUDERDALE  
February 21, 2012**

Meeting was called to order at 6:02 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1<sup>st</sup> floor Chambers.

Roll call showed:

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

Absent: None.

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 Steve Greenlaw

Invocation was offered by Pastor Darrell Stuehrenbert, Shepherd of the Coast Lutheran Church, followed by the recitation of the pledge led by Genia Ellis.

**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).**

**Presentations**

**1. COMMUNITY APPEARANCE BOARD – WOW AWARD – DISTRICT I (PRES-01)**

Commissioner Roberts recognized Joe and Laurie Toms who reside in Coral Ridge Country Club as the recipients of the WOW Award for District I. Mr. Toms thanked the Commission.

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**2. RECOGNITION OF RODNEY BALTIMORE AND HOT 105.1 FM RADIO STATION (PRES-02)**

Vice Mayor DuBose recognized Rodney Baltimore, executive producer of the Tom Joyner Morning Show, and HOT 105.1 FM Radio Station for raising awareness throughout South Florida about the City's Small Business Seminar Series. Mr. Baltimore thanked the Commission, City staff, and residents.

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

Mayor Seiler offered a moment of silence in memory of community activist, Sara Pettis. An expression of sympathy was offered to Ms. Pettis' family and friends.

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**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.

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**EVENT AGREEMENTS, RELATED ROAD CLOSINGS AND CO-SPONSORSHIP FOR BANNERS****(M-01)**

**No budgetary impact.**

Event Agreements: 1) 5K For A Better Day, 2) Barefoot On The Beach, 3) \$100,000 Bill Bone Pro/Am Kickoff, 4) St. Patrick's Day On 2nd Street, 5) Get Downtown, 6) CFF Cycle For Life. 7) MS Walk, 8) New Times 15th Annual Beer Fest/College Basketball Championship Edition, 9) Pride Fest 2012. 10) River Oaks Recycling Yard Sale, 11) Show N Shine XXIX, 12) Sistrunk Parade, and 13) Fort Lauderdale St. Patrick's Day Parade and Festival.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0408

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**CONTRACT AWARD AND TASK ORDER 1 - IBI GROUP INC. - \$197,735 BEACH MASTER PLAN PROJECT - CHANNEL SQUARE FEASIBILITY STUDY****(M-02)**

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

Contract with IBI Group Inc., in the amount of \$197,735, for architectural - engineering consultant services and Task Order 1 for Channel Square Public Improvement Feasibility Study contingent upon Community Redevelopment Agency approving task order funding.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0410

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**CONTRACT AWARD AND TASK ORDERS 1, 2, 3 AND 4 – SASAKI ASSOCIATES INC. - BEACH MASTER PLAN PROJECT FEASIBILITY STUDIES - \$581,753.50 (M-03)**

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

1) Contract with Sasaki Associates Inc. for architectural - engineering consultant services, 2) Task Order 1, in the amount of \$199,401, for Intracoastal Promenade Feasibility Study, 3) Task Order 2, in the amount of \$96,867.50, for Almond Avenue Feasibility Study, 4) Task Order 3, in the amount of \$153,965, for west side of State Road A-1-A Feasibility Study and 5) Task Order 4, in the amount of \$131,520, for State Road A-1-A Beach Front Promenade Feasibility Study contingent upon Community Redevelopment Agency approving task order funding.

**Recommend:** Motion to approve

**Exhibit:** Commission Agenda Report 12-0413

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**CONTRACT AWARD AND TASK ORDERS 1, 2 AND 3 - ZYSCOVICH INC. – \$518,865 - BEACH MASTER PLAN PROJECT FEASIBILITY STUDIES (M-04)**

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

1) Contract with Zyscovich Inc. for architectural - engineering consultant services, 2) Task Order 1, in the amount of \$199,994, for Oceanside Garage and Plaza Feasibility Study, 3) Task Order 2, in the amount of \$199,928.50, for Sebastian Street Garage and Plaza Feasibility Study and 4) Task Order 3, in the amount of \$118,942.50, for Las Olas Beach Plaza Feasibility Study contingent upon Community Redevelopment Agency approving task order funding.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0415

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**GRANT APPLICATION - EMS MATCHING GRANT - AMBULANCE – \$300,000 - FLORIDA DEPARTMENT OF HEALTH - BUREAU OF EMERGENCY MEDICAL SERVICES (M-05)**

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

Grant application, in the amount of \$300,000, to Florida Department of Health, Bureau of Emergency Medical Services - 2011 EMS Matching Grant Program - 25% local cash match of \$75,000 for a critical rescue (ambulance) unit.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0390

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**CONTRACT AWARD - WEEKLY ASPHALT PAVING, INC. - SPEED HUMP INSTALLATIONS** (M-06)

Please see funding information attached to these minutes.

Contract with Weekly Asphalt Paving, Inc. for annual speed hump installations, based on unit price and delegating authority to City Manager to issue work orders based upon competitively bid unit prices contingent upon review and approval by City Attorney's Office.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0130

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**DONATION TO ONIKUSU JUDO CLUB - STATE LAW ENFORCEMENT TRUST FUND - \$30,000** (M-07)

Please see funding information attached to these minutes.

Donation of \$30,000 to Onikusu Judo Club from State Law Enforcement Trust Fund.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0405

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**INTERIM USE - TAKE-OUT RESTAURANT WITH OUTDOOR SEATING – CASE 2-R-12A - BREAKERS PLAZA - TROPIROCK, LLC** (M-08)

**No budgetary impacts**

**Applicant:** Tropirock, LLC.  
**Location:** 2900 Belmar Street  
**Zoning:** A-1-A Beachfront Area (ABA)  
**Future Land Use:** Central Beach Regional Activity Center (C-RAC))

**Recommend:** Motion to approve development plan.

**Exhibit:** Commission Agenda Report 12-0511

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**PROCUREMENT OF LIABILITY INSURANCE - EXECUTIVE AIRPORT** (M-09)

No budgetary impact.

City Manager's designee to conduct negotiations with Executive Airport liability insurance carrier to procure a premium quote.

**Recommend:** Motion to approve.

Exhibit: Commission Agenda Report 12-0530

**FEDERATION OF PUBLIC EMPLOYEES (PROFESSIONAL) BARGAINING UNIT - NEW JOB CLASSES (M-10)**

**No budgetary impact.**

Addition of two new job classes in Federation of Public Employees (Professional) bargaining agreement.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0514

**CONSENT RESOLUTION**

**SPECIAL MAGISTRATE APPOINTMENTS (CR-01)**

**No budgetary impact.**

Reappointment of Judge Floyd Hull, Judge Mark Purdy and Rose Anne Flynn, Esquire, as code enforcement special magistrates for the City.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 12-0162

RESOLUTION NO. 12-36

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING JUDGE FLOYD HULL, JUDGE MARK PURDY AND ROSE ANNE FLYNN, ESQ., AS CODE ENFORCEMENT SPECIAL MAGISTRATES FOR THE CITY OF FORT LAUDERDALE.

**AMEND OPERATING BUDGET - APPROPRIATION - \$2,075,567.47 (CR-02)**  
**SISTRUNK STREETSCAPE ENHANCEMENT PROJECT**

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

Amendment of fiscal year 2012 final operating budget for NW/NE 6 Street Streetscape Enhancement Project - authorizing increased appropriation of \$2,075,567.47 and related purchase order from Northwest Community Redevelopment Agency bond funds and reducing the appropriation and related purchase order by \$2,075,567.47 of Northwest Community Redevelopment Agency trust funds.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 12-0020

RESOLUTION NO. 12-

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, 2011, AND ENDING SEPTEMBER 30, 2012, BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATIACHED.

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

**UTILITY ADVISORY COMMITTEE - TREE SUBCOMMITTEE**

**(CR-03)**

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

Term extension of Utility Advisory Committee and Tree Subcommittee for one-year period, both through December 31, 2012.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 12-0076

RESOLUTION NO. 12-37

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION 10-354 WHICH AMENDED RESOLUTION NO.10-03 WHICH AMENDED RESOLUTION NO. 09-07 WHICH AMENDED RESOLUTION NO. 03-17 WHICH ESTABLISHED THE UTILITY ADVISORY COMMITTEE; EXTENDING THE TERM OF THE UTILITY ADVISORY COMMITTEE TO DECEMBER 31, 2012 AND FURTHER AUTHORIZING THE EXISTENCE OF A TREE SUBCOMMITTEE UNDER THE UTILITY ADVISORY COMMITTEE THROUGH DECEMBER 31, 2012; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR REPEAL OF CLAUSES IN CONFLICT HEREWITH; PROVIDING FOR EFFECTIVE DATE.

**RENEWAL OF EMPLOYMENT CONTRACT - CITY ATTORNEY**

**(CR-04)**

**No budgetary impact.**

Second Addendum to Employment Contract for Harry A. Stewart, City Attorney.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 12-0523

RESOLUTION NO. 12-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A SECOND ADDENDUM TO EMPLOYMENT CONTRACT BETWEEN THE CITY OF FORT LAUDERDALE AND HARRY A. STEWART.

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**PARCELS 19A AND C - EXECUTIVE AIRPORT - CITIGROUP TECHNOLOGY, INC.**

**(CR-05)**

**No budgetary impact.**

Consent to Assignment of Lease Agreements from Citicorp North America, Inc. to Citigroup Technology, Inc. for Parcels 19A and C at Executive Airport.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 12-0411

RESOLUTION NO. 12-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONSENT TO ASSIGNMENT OF LEASE AGREEMENTS FOR PARCELS 19A & C FROM CITICORP NORTH AMERICA, INC. AS ASSIGNOR TO CITIGROUP TECHNOLOGY, INC. AS ASSIGNEE, AT THE FORT LAUDERDALE EXECUTIVE AIRPORT.

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**BOND AND DISCLOSURE COUNSEL  
GENERAL OBLIGATION REFUNDING BOND ISSUE - \$69 MILLION**

**(CR-06)**

**No budgetary impact at this time. The City does not incur any cost unless the sale is completed.**

Appointment of Squire, Sanders & Dempsey LLP as Bond Counsel and Steve Bullock, P.A. as Disclosure Counsel - General Obligation Refunding Bonds, Series 2012 - \$69 million.

**Recommend:** Adopt resolution.



**Exhibit:** Commission Agenda Report 12-0370

RESOLUTION NO. 12-40

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 AND STEVEN BULLOCK OF THE LAW FIRM OF STEVEN BULLOCK P.A. TO ACT AS DISCLOSURE COUNSEL TO THE CITY OF FORT LAUDERDALE, FLORIDA IN CONNECTION WITH THE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012.

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**GRANT APPLICATION - DEVELOPMENT OF SAILBOAT BEND PRESERVE –(CR-07)  
\$30,000 - FLORIDA COASTAL MANAGEMENT PROGRAM - COASTAL  
PARTNERSHIP INITIATIVE PROGRAM**

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

Grant application for Coastal Partnership Initiative funding in the amount of \$30,000 - Florida Coastal Management Program - development of Sailboat Bend Preserve; authorization to execute all necessary documents to receive funds and amendments to such documents extending grant term and amendment of fiscal year 2012 final operating budget by appropriating the funds contingent upon actual amount awarded.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 12-0507

RESOLUTION NO. 12-41

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR GRANT FUNDS FROM THE FLORIDA COASTAL MANAGEMENT PROGRAM IN THE AMOUNT OF \$30,000; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ANY DOCUMENTS REQUIRED TO ACCEPT SUCH GRANT FUNDS AND AMENDMENTS TO SUCH DOCUMENTS EXTENDING THE TERM OF THE GRANT PERIOD; AND FURTHER AUTHORIZING AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012 BY APPROPRIATING THE GRANT FUNDS CONTINGENT UPON THE ACTUAL AMOUNT AWARDED BY THE FLORIDA COASTAL MANAGEMENT PROGRAM.

<b>PURCHASING AGENDA</b>
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**223-10908 - REJECT SINGLE BID AND RE-BID - FIREFIGHTING FOAM** (PUR-01)

**No budgetary impact.**

Reject single bid for firefighting foam and re-bid.

**Recommend:** Motion to reject and authorize rebidding.

**Exhibit:** Commission Agenda Report 12-0177

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**POLICE UNIFORMS - \$45,738** (PUR-02)

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

One-year contract with three, one-year renewal options to purchase uniforms for sworn police personnel and authorization of City Manager or designee to approve renewal options.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0173

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

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**775-9805-1 - PUBLIC SAFETY COMPUTER HARDWARE MAINTENANCE – (PUR-03)**  
**\$20,000 - POLICE PANASONIC TOUGHBOOKS**

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

Increase expenditure for repair of 48 Panasonic Toughbooks utilizing Contract 775-9805-1.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0304

Procurement Services has reviewed this item and recommends approving additional expenditures to the existing contract.

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**527-10913 - MOBI-MAT RECPATH MATTING SYSTEM - \$24,414  
BEACH ACCESSIBILITY FOR DISABLED****(PUR-04)**

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

Purchase Mobi-Mat accessible system - beach accessibility for disabled.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0117

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

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**525-10833 - BEVERAGE CONCESSION SERVICES - \$50,000  
ESTIMATED REVENUE****(PUR-05)**

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

One-year contract, with three, one-year renewal options, for beverage concession services for city-wide special events and authorize City Manager or designee to approve renewal options.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0174

The Procurement Services Division has reviewed this item and recommends award to the single proposer.

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**PROPIETARY - CRIMINAL HISTORY RECORD CHECKS - \$30,000-  
FLORIDA DEPARTMENT OF LAW ENFORCEMENT****(PUR-06)**

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

One-year purchase of up to 850 criminal history record checks for volunteers and contract instructors participating in City Youth Sports Programs.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0175

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

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**772-10904 - MINUTES SERVICES - ADVISORY BOARDS AND COMMITTEES - \$69,575****(PUR-07)****\$69,575**

Three-year contract with one, one-year renewal option, for advisory board and committee minutes services.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0545

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

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**GRANICUS AGENDA MANAGEMENT SYSTEM - \$55,315****(PUR-08)**

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

Award purchase of new agenda management system.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 12-0499

The Procurement Services Division has reviewed this item and recommends utilizing the contract from the City of Crossville, TN.

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**Motion** made by Commissioner Rogers and seconded by Commissioner Rodstrom that Consent Agenda Items M-02, M-03, M-04, M-07, CR-04, PUR-07, and PUR-08 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

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The City Clerk announced that a correction was made to Commissioner Roberts' comment in the third paragraph on page three of the January 5, 2012, conference minutes.

**Motion** made by Commissioner Roberts and seconded by Commissioner Rogers to approve the minutes of the January 5, 2012 Conference Meeting as amended, and the January 17, 2012 Regular Meeting. YEAS: Commissioner Roberts, Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

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**CONTRACT AWARD AND TASK ORDER 1 - IBI GROUP INC. - \$197,735 (M-02)**  
**BEACH MASTER PLAN PROJECT - CHANNEL SQUARE FEASIBILITY STUDY**

In response to Art Seitz, 1905 N. Atlantic Boulevard, the City Manager explained that the purpose of this and items M-03 and M-04 is to approve the conceptual design task orders for architectural and engineering firms to begin work on the Beach CRA (Community Redevelopment Agency) projects. The projects include parking garages, streetscapes and the Channel Square building. Mr. Seitz expressed support of moving forward with the parking garage. He mentioned the (1111 Lincoln Road) parking garage in Miami Beach was recently featured in Vanity Fair magazine. He claimed that Zyscovich, Inc., the architect awarded the projects in item M-04, was favored because of a campaign donation made to (Commissioner Rodstrom) by a lobbyist for Zyscovich. He questioned whether a competitive bid process was utilized. The City Manager clarified that there are three different architects for items M-02, M-03 and M-04, and all bids were obtained through a competitive process. Mr. Seitz stressed the importance of utilizing world-class architecture. He thought the parking garage roof should be utilized as a greenway trailhead in order to obtain MPO (Metropolitan Planning Organization) funds. It should be bicycle and pedestrian friendly and expandable. He encouraged the City to involve architectural entities from local universities.

Commissioner Rodstrom pointed out that a process is in place wherein the consultants will present this project to the public for input.

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

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**CONTRACT AWARD AND TASK ORDERS 1, 2, 3 AND 4 – SASAKI (M-03)**  
**ASSOCIATES INC. - BEACH MASTER PLAN PROJECT FEASIBILITY**  
**STUDIES - \$581,753.50**

Art Seitz, 1905 N. Atlantic Boulevard, thought world-class architecture is needed in the city. But, the belief that many City contracts are awarded based upon the contractor's (City) campaign donations is off-putting to qualified contractors. In response to Mayor Seiler, Mr. Seitz indicated that Sasaki Associates, Inc. did not make (City) campaign donations. Mayor Seiler encouraged anyone to come forward with this information, and he will demand an immediate investigation. He did not believe that either of the two contractors (Zyscovich, Inc. and Sasaki Associates, Inc.) mentioned by Mr. Seitz made campaign contributions to any member on the Commission. He asked Mr. Seitz to make himself available for an interview with the State Attorney so these allegations can be investigated immediately.

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

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**CONTRACT AWARD AND TASK ORDERS 1, 2 AND 3 - ZYSCOVICH INC. – (M-04)**  
**\$518,865 - BEACH MASTER PLAN PROJECT FEASIBILITY STUDIES**

Art Seitz, 1905 N. Atlantic Boulevard, no longer wished to comment on this item.

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

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**DONATION TO ONIKUSU JUDO CLUB - STATE LAW ENFORCEMENT (M-07)**  
**TRUST FUND - \$30,000**

Commissioner Roberts noted that the relationship between the Police Department and the NAACP is demonstrated through this successful program. Vice Mayor DuBose emphasized that this should be a model program as the outcomes have far exceeded expectations.

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

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**AMEND OPERATING BUDGET - APPROPRIATION - \$2,075,567.47 (CR-02)**  
**SISTRUNK STREETSCAPE ENHANCEMENT PROJECT**

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

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**RENEWAL OF EMPLOYMENT CONTRACT - CITY ATTORNEY (CR-04)**

Commissioner Rodstrom was opposed to the bonus incentive retirement program. Mayor Seiler indicated that the amended second addendum provided is consistent with the points addressed during today's conference meeting.

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

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**772-10904 - MINUTES SERVICES - ADVISORY BOARDS AND (PUR-07)**  
**COMMITTEES - \$69,575**

In response to Commissioner Rodstrom, the City Manager explained that there are certain legal requirements as to the type of minutes. Staff renegotiated the rate down pursuant to Commission directive. The question is whether all of the boards and committees need extensive minutes which is a policy decision made by a prior

commission. Staff can produce less detailed minutes which reflect roll call, general nature of discussion that occurred, and any votes without incurring a contractor's expense. This is a policy decision. He confirmed that all meetings are audio-recorded. In response to Mayor Seiler, the City Clerk explained that audio tapes are retained for nine years, although the State requires two years. Commissioner Roberts believed extensive minutes are necessary for quasi-judicial hearings, but not for all committees and boards. This would create an estimated annual savings of \$35,000. He suggested a one-year trial. He deferred to the City Manager's proposed list of boards and committees for less detailed minutes.

In response to Commissioner Rogers, the City Clerk noted that a minimum number of meeting hours is not specified. Commissioner Rogers was concerned that board and committee members may be inconvenienced by having to supplement less detailed written minutes with listening to the audio recording. In response to Commissioner Rodstrom, the City Clerk noted that the contractor's costs (reflected in Exhibits 2 and 3 of Commission Agenda Report 12-0545) are estimates because the exact length of the meetings is unknown. Commissioner Rogers thought board and committee members should be given an opportunity to weigh in on this. Both Commissioners Roberts and Rodstrom pointed out that feedback will come once it is implemented. It could be changed.

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

Mayor Seiler asked that consideration of which boards and committees should have less detailed minutes prepared by staff as recommended by the City Manager be scheduled for March 6, 2012 conference.

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**GRANICUS AGENDA MANAGEMENT SYSTEM - \$55,315****(PUR-08)**

Commissioner Rodstrom questioned how this item changed from a piggyback RFP to a sole source procurement as noted in Memorandum 12-059. The City Attorney explained what is required for a piggybacked purchase. In this case there was a variance. Therefore the only appropriate method is sole source. In further response, the City Manager explained that the Deputy Director of Finance who oversees Procurement conducted his own investigation on this item. Granicus is a sole source; there are two unique features, an iPad interface and the ability to web stream to mobile devices. Granicus has confirmed that they are sole source.

Jack Melnicoff, representing Granicus, Inc., indicated that while Granicus is headquartered in San Francisco, he resides in Fort Lauderdale. Mobile streaming has been offered by Granicus for about two years and it is utilized by about 1,000 clients nationwide and fifty clients in Florida, including Broward County and the U.S. House of Representatives. The iPad application has been available for 18 months. He was not aware of any issues related to it. Kirk Buffington, Deputy Director of Finance, did not have a specific number as to the City's sole sourced procurement contracts. A competitive process may be utilized to obtain technology products, future upgrades for example, are sole source. He elaborated upon the City's process for proprietary items

that occurs at the beginning of the fiscal year. Staff's extensive research indicated that the RFP piggyback would not meet the City's needs because it was not an apples-to-apples match. His personal research did not avail another agenda software package that provides the iPad (interface) and mobile streaming; therefore, in terms of functionality and pricing this software is a good sole source procurement candidate. In further response to Commissioner Rodstrom, Mr. Melnicoff confirmed that the Granicus application is capable of integrating other technology. Further, the City would be able to access any available upgrades without a budget change because there is no true capital expenditure; rather, it is all managed hardware. Granicus has an extensive open API (application programming interface) which allows for integration with other systems. The data can be stored with Granicus or other storage options. The data would be stored at Granicus' media center in San Francisco which can be accessed by the public, thereby, reducing the amount of bandwidth needed by the City. The data is redundantly backed up in insulated data centers strategically placed throughout the country. There are currently eight or nine of these centers. He went on to discuss access of archived data and when data moves to data centers. In response to Commissioner Rogers, Mr. Melnicoff explained that the City is receiving a two-population tier discount.

The City Attorney pointed out that the Granicus proposal referenced in Exhibit 1 of Commission Agenda Report 12-0499 was not included in the backup. As such he did not know how a contract could be developed. Because the Commission would be approving the contract, there is nothing provided to indicate the terms and conditions. Mr. Buffington explained that staff has been working on drafting the agreement with the idea that it would be piggybacked, but now a different approach is contemplated. Mayor Seiler questioned how the item came to be scheduled on the agenda. He indicated that the Commission must be able to vote on a contract and not just a concept. The City Manager indicated that an agreement will be submitted for the March 6, 2012, meeting. The City Auditor indicated if the data will be housed on Granicus servers, the SSAE (Statement on Standards for Attestation Engagements) 16, formerly the SAS (Statement of Accounting Standard) 70, is a new accounting standard for third party providers, and, is standard for all City contracts. In response to Mayor Seiler, Mr. Buffington indicated that he did not consider the contract terms to be proprietary and could be included for the March 6 meeting.

**Motion** made by Commissioner Rodstrom and seconded by Commissioner Roberts to defer the item to March 6, 2012. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

<b>RESOLUTIONS</b>
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**TRANSPORTATION ENHANCEMENT GRANT APPLICATION  
BROWARD METROPOLITAN PLANNING ORGANIZATION**

**(R-01)**

**Matching Funds are not required, but are encouraged.**

**Recommend:** Introduce resolution.



**Exhibit:** Commission Agenda Report 12-0414

Diana Alarcon, Director of Transportation and Mobility, highlighted background information as set forth in Exhibit 1 of Commission Agenda Report 12-0414. In response to Commissioner Rogers, she explained that Broward County plans to (fund) sidewalk improvements and a bike lane for the SW 4 Avenue Greenway project. The County would be involved in the design process. Staff has also spoken with FDOT (Florida Department of Transportation). The County is agreeable to allowing the City to apply funding for the sidewalk and bike lane toward the greenway. The design process will likely take about 18 months because the goal is to extend the greenway from the (Marshall) bridge to the City limits near Snyder Park, and it was originally only going to run between State Road 84 and Davie Boulevard. Commissioner Rogers questioned \$2 million in funding for a six-block area. Ms. Alarcon reiterated that this project has expanded, and the \$2 million funding was originally to cover from the (Marshall) bridge to Davie Boulevard. It has been significantly expanded. In further response, she verified that the 19 Street project is not a greenway. Given that the City has been promoting greenways, but has not yet constructed one, Commissioner Rogers questioned why the SW 4<sup>th</sup> Avenue Greenway is not presently being moved forward. Ms. Alarcon explained that the maximum amount of funding the City can obtain from this Enhancement Grant is \$1 million. One criteria is that all of the funding must be in place, but it is not at this time. She emphasized staff's desire to make preparations for an expanded scope. She went on to explain the cost differential between the 19 Street project and the greenway and the scope of the Birch State Park Shared Use Path project. Commissioner Rogers was concerned that the improvements are not readily visible without entering the park. Ms. Alarcon pointed out that it is a segment of the greenway that has already been established and the north end is currently in the design stage with FDOT. It is possible that FDOT will get this work done very quickly because they have funding. Commissioner Rogers pointed out that the City would be expending funds for improvements inside a State park. SW 4 Avenue is the only greenway option and it is not recommended. Ms. Alarcon indicated that the public has requested connectivity. She explained that staff discovered there is a different funding source for SW 4 Avenue greenway that would allow for the entire project to be completed whereas this grant would be limited to \$1 million. In further response, Ms. Alarcon confirmed that staff is completing the County's requested design revisions for the NW 19 Street project as it is a county road. The City could proceed with the SW 4 Avenue project or apply the \$600,000 funding to the greenway which has more or less been guaranteed. Commissioner Rodstrom thought this is more of a guarantee than the transportation enhancement grants because only one of those will survive. Ms. Alarcon noted that the City is competing with 31 other municipalities for this transportation enhancement grant and only five will be distributed in the county. Further discussion ensued as to connectivity and progress on SW 4 Avenue greenway before the end of the year.

Ms. Alarcon announced that the Community Redevelopment Agency will also be submitting an application for the 9 Avenue streetscape in the Northwest Community Redevelopment area.

Mayor Seiler opened the floor for public comment.

Art Seitz, 1905 N. Atlantic Boulevard, expressed support of this item. He mentioned other greenways in the county. The A-1-A greenway could be opened from Sea Ranch Lakes to the Las Olas area, through Birch State Park.

There was no one else wishing to speak.

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 12-32

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT TWO ENHANCEMENT GRANT APPLICATIONS TO THE BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION

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

**BOARD AND COMMITTEE APPOINTMENTS**

**(R-02)**

**No budgetary impact**

**Recommend:** Introduce resolution.

**Exhibit:** Commission Agenda Report 12-0429

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

Board of Adjustment	Charlie Ladd (Consensus/Alternate)
Cemetery System Board of Trustees	Mark Van Rees (Commissioner Roberts)
Northwest Progresso-Flagler Heights Redevelopment Board	Richard D. Powers (Commissioner Roberts)
Utility Advisory Committee	Deborah Fredericks (Vice Mayor DuBose) Don Lampasone (Commissioner Roberts) Chelsea Smith (Commissioner Rodstrom) Don Larson (Commissioner Rogers) Ruchel Louis (Commissioner Rogers)
Visioning Committee	Desorae Giles-Smith (Vice Mayor DuBose) James G. McCulla (Commissioner Roberts)

Commissioner Roberts introduced the following resolution:

## RESOLUTION NO. 12-33

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

<b>PUBLIC HEARINGS</b>
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**BROWNFIELD AREA DESIGNATION - JOB ACCELERATION ZONE – (PH-01)**  
**NORTHWEST GARDENS I**

**No Budgetary Impact**

**Recommend:** Open hearing, close hearing, introduce resolutions  
 1) designating Brownfield area and 2) naming Brownfield area as a Job Acceleration Zone.

**Exhibit:** Commission Agenda Report 12-0146

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

Commissioner Rodstrom introduced the following resolution:

## RESOLUTION NO. 12-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, MAKING CERTAIN FINDINGS; DESIGNATING REAL ESTATE PARCELS TO BE DEVELOPED FOR AFFORDABLE HOUSING AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(b), FLORIDA STATUTES, FOR REHABILITATION AND REDEVELOPMENT FOR THE PURPOSES OF SECTIONS 376.77 – 376.86, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

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

Commissioner Rogers introduced the following resolution:

## RESOLUTION NO. 12-35

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, NAMING THE BROWNFIELD AREA IN THE CITY OF FORT LAUDERDALE AS THE JOB ACCELERATION ZONE (JAZ); PROVIDING AN EFFECTIVE DATE.

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

<b>ORDINANCES</b>
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**HOMELESS ASSISTANCE CENTER - 920 NW 7 AVENUE****(O-01)**

No budgetary impacts

**Recommend:** Introduce ordinance on second reading.

**Exhibit:** Commission Agenda Report 12-0475

Mayor Seiler opened the floor for public comment.

Nathan Pim, Hollywood resident, opposed this item as he believed it to be discriminatory, not within the purview of government and unenforceable.

Shawn Becker, 3140 SW 17 Street, objected to property tax reductions because it results in reduced City services. He wanted property tax increased in order to provide social programs like a homeless shelter.

Haylee Becker, City resident, did not think a fixed homeless feeding center would be of help to people living on the streets. Rather, it would be a quarantine policy that keeps the homeless from view of consumers and business owners.

Mara Shlackman, 2100 South Ocean Drive, noted her credentials as an attorney. She thought this ordinance is ineffective and reflects poorly on the City because it seeks to make the homeless invisible during an economic downturn which has caused homelessness to rise.

Ray Cox noted that the City's homeless are residents with legal rights. He questioned what measures the City has taken to deal with the homelessness increase. He claimed the City pumps out sewage through an effluent pipe that is located too close to the beach. The homeless would be able to obtain employment if given assistance obtaining legal identification. Mayor Seiler clarified that the City does not pump sewage into the ocean; the effluent pipe Mr. Cox referred to belongs to a city located to the south.

Ray Del Papa, North Miami resident, thought the purpose of this item is to remove the homeless from sight of the City's residents and tourists, and is also part of a national effort to shut down the Food Not Bombs organization.

Charles King, 105 North Victoria Park Road, opposed the Food Not Bombs organization because it does not provide effective homeless assistance. He elaborated upon some of the Homeless Assistance Center's amenities. The City's homeless problem must be addressed. He expressed support of the item.

Arthur Brown believed the rights of homeless individuals are being violated with forceful removal. He questioned the message sent by the (Homeless Reunification Program). The City has an opportunity to make a positive impact by improving the lives of its indigent citizens. If the homeless are sent away, they will simply relocate to other areas. He thought there may be an abuse of power.

Robert Walsh, 401 East. Las Olas Boulevard, thought homelessness should be made illegal in the City, and those in violation should be sent to jail. He elaborated upon the prevalence of welfare programs despite jobs being available. He listed a number of services available through the City's HAC (Homeless Assistance Center). He did not want homeless individuals to negatively impact property values.

Juan Morales, Cooper City resident, did not object to more social services being offered. The privatization of public property is not working; a return to collective property is needed. A society is judged based upon how it treats its weakest members. He was concerned that poverty is being criminalized. He elaborated upon the qualities of the Food Not Bombs organization.

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

Mayor Seiler highlighted the purpose of this ordinance as set forth in Commission Agenda Report 12-0475. He thought the opposition is misplaced because the objective is to expand the scope of the Homeless Assistance Center's services beyond serving Fort Lauderdale throughout Broward County. Vice Mayor DuBose recalled that this matter has been addressed since last year and due diligence, including neighborhood outreach. It is to assist the homeless, not to harm them. Commissioner Rogers elaborated upon expanded childcare services set forth in the ordinance.

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-12-03

AN ORDINANCE AMENDING ORDINANCE NO. C-97-21,  
AS AMENDED BY ORDINANCE NO. C-01-45,  
APPROVING THE USE OF PROPERTY AND A  
DEVELOPMENT PLAN FOR A HOMELESS  
ASSISTANCE CENTER LOCATED AT 920 NW 7<sup>TH</sup>  
AVENUE TO REVISE CONDITIONS OF THE  
DEVELOPMENT ORDER TO PERMIT SERVICES TO

CLIENTS OF OTHER HOMELESS PROVIDERS;  
REVISING THE DATE FOR THE ANNUAL REPORT;  
DELETING PROVISIONS NO LONGER APPLICABLE  
AND REVISING OTHER CONDITIONS.

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

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**NATIONAL ENDOWMENT FOR THE ARTS GRANT APPLICATION (OB)**  
**NEW RIVER AMPHITHEATER AT ESPLANADE PARK**

**Motion** made by Vice Mayor Rogers and seconded by Commissioner Rodstrom to authorize the proper City Officials to partner with Broward Center for the Performing Arts by submitting an Our Town grant application, in the amount of \$150,000, through National Endowment for the Arts – design plans and construction documents for the renovation of Esplanade Park as per the Riverwalk District A&E / Public Realm Plan. A copy of Memorandum 12-058 concerning this matter is attached to these minutes. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

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Note: The City Commission adjourned the regular meeting at 7:48 p.m. and returned to the conference meeting agenda, item I-E, from 7:48 p.m. to 9:32 p.m.

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John P. "Jack" Seiler  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk