

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING

MARCH 2, 2010

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
March 2, 2010**

Meeting was called to order at 6:00 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1st floor Chambers.

Roll call showed:

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

Absent: None.

Also Present: City Manger George Gretsas
City Auditor John Herbst
City Clerk Jonda K. Joseph
City Attorney Harry A. Stewart
Sergeant At Arms Sergeant William Schultz

Invocation was offered by Reverend James C. Willis, First Christian Church of Fort Lauderdale, followed by the recitation of the pledge of allegiance led by a group of children from Bass Park.

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 Vice Mayor Roberts and seconded by Commissioner DuBose to approve the minutes of the December 1, 2009, December 15, 2009, and January 6, 2010 Regular Meetings. Roll call showed: YEAS: Commissioner Rodstrom, Commissioner DuBose, Commissioner Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: None.

Presentations

1. Census Awareness Months – March and April, 2010 (PRES-01)

Commissioner DuBose presented a proclamation declaring March and April, 2010 as Census Awareness Months in the City to Jimmy Witherspoon, Chairperson of the Complete Count Committee and Randall Robinson, Planning and Zoning. A group of children from Bass Park performed the new census song.

2. St. Patrick's Day Parade and Festival Day – March 13, 2010 (PRES-02)

Commissioner Rogers presented a proclamation declaring March 13, 2010 as St. Patrick's Day Parade and Festival Day in the City to Chris Wren, Event Chairperson, and members of the St. Patrick's Day Parade Committee. Mr. Wren thanked the Commission, the community, and the event volunteers.

3. Outstanding City Employees (PRES-03)

Albert Carbon, Public Works Director, presented the STAR Award to Michael Boyce, Environmental Laboratory Technician, in recognition of his initiative to create a water quality complaint management system that improved customer service and the City's response to water quality complaints.

Phil Thornburg, Parks and Recreation Director, presented Ranger Raymond Fedolfi with the Employee of the Month Award for rescuing an individual from a near drowning and providing treatment for hypothermia.

Laura Voet, Fort Lauderdale Aquatic Complex Manager, presented the STAR Award to Shima Amini-Maghaddam, Fort Lauderdale Aquatic Complex Lifeguard, for her outstanding efforts in providing emergency care, while off duty, to an individual with a head laceration.

The City Manager recognized City staff for their continuing fundraising efforts for the Haiti Relief program. Collectively, the departments have raised \$10,993.53. He noted past and future fundraisers and thanked staff for their participation.

Expression of Sympathy (OB)

The Mayor and the City Commission extended an expression of sympathy and a moment of silence to the families of Samuel Brown, former Mayor of Lauderdale Lakes; Arthur Stone, former CEO of Buning The Florist and owner of the Fort Lauderdale Antique Car Museum ; and Frankie Thomas, founder of the Northwest Democratic Club in Fort Lauderdale.

103-10455 Lease – Police Motorcycles (PUR-02)

\$27,953.10 is available in Fund 001, Subfund 01, POL030411, 3307 (Vehicle Rental). Dollar amount listed is for the remainder of the current fiscal year. Remaining balance of \$27,953.10 is subject to the appropriation and approval of the FY 10/11 budget.

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

Transfer Funds Between WaterWorks 2011 Projects - \$1,240,000 (M-15)
Shady Banks Small Water Main Improvements

Please see the funding information on the Bid Tab attached to these minutes.

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

Contract Increase for Air Lauderdale Beachfest Cleanup (MD-06)
AAA Plus Maintenance Services, Inc.

\$20,000 budgeted in PBS090101-3299 fund 409, subfund 01.

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

Co-Sponsorship Banners – Fort Lauderdale Museum of Art (M-07)
Latin American Collection of Pearl and Stanley Goodman
and Vatican Splendors

No budgetary impact.

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

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 – Art and Jazz In Victoria Park (M-01)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Victoria Park Civic Association, Inc. for Art and Jazz in Victoria Park, to be held March 21, 2010, 12 noon – 4 PM at Victoria Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0232

Event Agreement – (M-02)
Kids Ecology Corps Presents The People and Planet Fair

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Partners In Action, Inc. for Kids Ecology Corps Presents the People and Planet Fair to be held April 17, 2010, 8 AM – 4 PM, at Snyder Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0287

Event Agreement – St. Patrick’s Day On 2 Street (M-03)
Closing SW 2 Street

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Downtown Himmarshee Village Association, Inc. for St. Patrick’s Day on 2 Street, to be held March 17, 2010, 6 PM – 12 AM and closing of SW 2 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0285

Event Agreement – Midtown Jazz Mingler (M-04)

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with Sunrealm, Inc. d/b/a Fort Laudi Gras for Midtown Jazz Mingler, to be held April 10, 2010, 4 PM – 10 PM in the Mizell Center and at Provident Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0288

Event Agreement – Downtown Fort Lauderdale Sunrise Classic (M-05)
Closing City Streets Along Route

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with ZMotion Racing Foundation, Inc. for Downtown Fort Lauderdale Sunrise Classic, to be held April 11, 2010, 9 AM – 5 PM, at Esplanade and the Himmarshee area and closing City streets along the route.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0297

Osswald Park Funding

(M-06)

\$58,832.20 is available in P11236.331-6599, fund 331, subfund 01 to be reprogrammed within the reconciliation from Mills Pond Playground to Osswald Park Improvements. The \$58,832.20 is currently a reconciling item because the Osswald Park bid award CAR did not identify where funds were being requested to be reprogrammed out of to fund the transfer from P11236.331 to Osswald Park P11306.331-6599, fund 331, subfund 01.

A motion reprogramming \$58,832.20 from Mills Pond Playground completed project with funds remaining in the General Capital Project Holding Account, to fund Osswald Park project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0306

**Co-Sponsorship Banners – Fort Lauderdale Museum of Art
Latin American Collection of Pearl and Stanley Goodman
and Vatican Splendors**

(M-07)

No budgetary impact.

A motion approving co-sponsorship of two exhibits at Fort Lauderdale Museum of Art, to allow installation of banners from May 3 through September 5, 2010 and from January 10 through May 8, 2011, at specified locations, subject to permitting regulations – Latin American Collection of Pearl and Stanley Goodman and Vatican Splendors.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0310

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

Amended Interlocal Agreement – Broward County, Hollywood, Sunrise (M-08)
Hazardous Materials and Weapons of Mass Destruction Response

\$427,180.00 is budgeted in FIR010301-N460, Fund 001, Subfund 01. The acceptance of this agreement would provide a \$27,030.67 increase in revenues.

A motion authorizing the proper City Officials to execute an amended Interlocal agreement between Broward Sheriff's Office and Cities of Fort Lauderdale, Hollywood and Sunrise – amendment relating to funding – cooperative emergency response to hazardous materials incidents and incidents involving weapons of mass destruction.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0214

Change Order 10 – Widell Associates Inc. - \$568,801.82 (M-09)
Lohmeyer Wastewater Treatment Plant Improvements – Add 700 Days

Transfer \$568,801.82 to fund this change order and \$69,198.18 to fund the estimated 12 percent WaterWorks 2011 fees, from P00401-6599; Regional Replacement/Recapitalization to P10541.451-6599, Both in Fund 451, Subfund 02; EP02728.

A motion authorizing 1) Change Order 10 with Widell Associates, Inc., f/k/a Widell, Inc., in net amount of \$568,801.82 – additional work, quantity adjustments and addition of 700 non-compensable calendar days to contract period – Lohmeyer Wastewater Treatment Plant Improvements – flow control, biosolids, chlorine and architectural rehabilitation – Project 10541B and 2) transfer \$568,801.82 to fund this change order and \$69,198.18 to fund estimated 12 percent WaterWorks 2011 fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-1333

Change Order 3 (Final) – Man-Con, Incorporated – Credit (\$403,364.06) (M-10)
Twin Lakes Sanitary Sewers

Reduce the encumbrance by (\$403,364.06) in Fund 482, Subfund 01, P10980.482-6599; EP03548.

A motion authorizing 1) Change Order 3 (Final) with Man-Con, Incorporated, in net CREDIT amount of (\$403,364.06) – additional work and final quantity reconciliation – Twin Lakes sanitary sewers – Project 10980 and 2) reduce encumbrance by (\$403,364.06).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0195

Change Order 6 – Metro Equipment Service, Inc. – Credit (\$113,844.39) (M-11)
Systemwide Pump Station Upgrades – Add 126 Days

Reduce the encumbrance by (\$113,844.39) in Fund 482, Subfund 01, P10874.482-6599; EP03219.

A motion authorizing 1) Change Order 6 with Metro Equipment Service, Inc. in net CREDIT amount of (\$113,844.39) and the addition of 126 non-compensable calendar days to contract period – additional work and quantity adjustments – Phase I Systemwide Pump Station Upgrades – Project 10874 and 2) reduce encumbrance by (\$113,844.39).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0272

Change Order 2 Straightline Engineering Group, LLC - \$119,961 (M-12)
Annual Contract for Concrete, Stamped Asphalt and Paving Stone Repair

\$40,354.37 is available in P11417.331 and transfer \$100,000.00 from P11535.331, Concrete and Paver Maintenance, to P11417.331 to fund the change order and 17 percent (7percent Design, 5 percent Inspection, 3 percent Survey, and 2 percent Administration) engineering fees. All funding in Fund 331, Subfund 01 and Subobject 6599.

A motion authorizing 1) Change Order 2 with Straightline Engineering Group, LLC, in the amount of \$119,961 – annual contract for concrete, stamped asphalt and paving stone repair – additional work – Project 11417 and 2) transfer funds to complete change order funding and 17 percent engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0321

Change Order 2 - Burke Construction Group, Inc. – Credit (\$110,000) (M-13)
Osswald Park – Aquatic Playground

Transfer \$110,000 from P11306.331-6599 Osswald Park, to P11236.331-6599 General Capital Projects Holding Account all in Fund 331 Subfund 01. The credit change order will result in an additional \$110,000 moving from Encumbered column to the Available Balance column thereby freeing up this money to be returned to the Holding Account. Currently, \$168,832.20 is a reconciling item on the Holding Account reconciliation due to the transfer of this amount to Osswald

Park without a respective reduction of funding in some other project(s).

A motion authorizing 1) Change Order 2 with Burke Construction Group, Inc., in the CREDIT amount of (\$110,000.00) – Osswald Park – remove aquatic playground from scope of work – Project 11306 and 2) transfer funds.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0330

**Change Order 1 – LeLack Corporation – Speed Tables - \$9,888 - (M-14)
Add 8 Work Days – Neighborhood Capital Improvement Program –
Coral Ridge Association, Inc.**

Transfer \$13,000 from P00411.331-6599, Fund 331, Subfund 01 to P10926.331-6599, Fund 331, Subfund 01.

A motion 1) authorizing Change Order 1 with LeLack Corporation, in the amount of \$9,888 and the addition of eight work days to contract period and 2) transferring sufficient funds to complete installation of speed tables – NE 26 Street between Middle River Drive and Bayview Drive – Neighborhood Capital Improvement Program – Project 10926.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0341

**Transfer Funds Between WaterWorks 2011 Projects - \$1,240,000 (M-15)
Shady Banks Small Water Main Improvements**

Please see the funding information on the Bid Tab attached to these minutes.

A motion authorizing transfer of funds between WaterWorks 2011 projects, in the amount of \$1,240,000 – additional construction – Shady Banks small water main improvements – Project 11471.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0274

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

Grant – Statement of Interest – Mayors Institute on City Design - \$250,000 (M-16)
Esplanade Park – Broward Center Exterior Hillside Enhancement Project

No budgetary impact.

A motion authorizing the proper City Officials to partner with Broward Center for the Performing Arts by submitting a statement of interest for Mayors Institute on City Design 25th Anniversary Initiative grant, in the amount of \$250,000, through National Endowment for the Arts – design plans and construction documents for Esplanade Park and Broward Center Exterior Hillside Enhancement Project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0316

Amendment 1 – Task Order 13 – Chen and Associates (M-17)
Consulting Engineers – Fort Lauderdale Beach Park Wall Replacement –
Parking Lot ADA Improvements

\$34,790.40 is budgeted in Fund 461, Subfund 03, P11282.461, Subobject 6599.

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 13 with Chen and Associates Consulting Engineers, Inc., in the amount of \$34,790.40 – Fort Lauderdale Beach Park wall replacement and parking lot ADA Improvement project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0317

Settlement of Vehicle Accident General Liability File VA GL 08-673 - (M-18)
\$80,000

Funds are budgeted in INS010101/5104 (Automobile Liability Claims), Fund 543/01.
There are sufficient funds to cover the amount of \$80,000.

A motion authorizing settlement of vehicle accident general liability file VA GL 08-673 (Catherine Costabel) - \$80,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0331

Grant Application – Broadband Technology Opportunity Program (M-19)
U.S. Department of Commerce – Broward County

No budgetary impact.

A motion authorizing the proper City Officials to apply for grant funding, in cooperation with Broward County, from U.S. Department of Commerce – Broadband Technology Opportunity Program Round 2 – expand public access to broadband service – enhancements to computing centers at City park community and senior centers.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0336

CONSENT RESOLUTION

Amend Operating Budget – Appropriation - \$174,900 (CR-01)
Protective Coating – Lohmeyer Wastewater Treatment Plant

Appropriate \$9,500 from P11420.451-6599, Fund 451, Subfund 02, and \$165,400 from P00401-6599, Fund 451, Subfund 02, to PBS670502-3428, Fund 451, Subfund 01.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0254

RESOLUTION NO. 10-60

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010, BY APPROPRIATING FUNDS IN THE AMOUNT OF \$174,900 FOR APPLICATION OF PROTECTIVE COATING AT THE GEORGE T. LOHMEYER WASTEWATER TREATMENT PLANT AND THE FIVE DEEP INJECTION WELLS.

Bridge Replacement – Middle River and Sunrise Boulevard (CR-02)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0337

RESOLUTION NO. 10-61

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING FLORIDA DEPARTMENT OF TRANSPORTATION'S (FDOT) RECONSTRUCTION OF THE SUNRISE BOULEVARD BRIDGE OVER THE MIDDLE RIVER TO A MAXIMUM CLEARANCE HEIGHT TO INCREASE ACCESSIBILITY FOR MARINE TRAFFIC.

**On-Street Parking – North Side of East Broward Boulevard
East of NE 15 Avenue** (CR-03)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0345

RESOLUTION NO. 10-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION NO. 10-25, WHICH SUPPORTS ON-STREET PARKING ON EAST BROWARD BOULEVARD EAST OF NE 15 AVENUE AND ON THE NORTH SIDE OF THE ROADWAY, TO PROVIDE FOR A NON-PRECEDENT SETTING STATEMENT.

Transfer of Grant from Broward County (CR-04)
Safe Route to School – 222 Harbordale Elementary School - \$259,222

Appropriate \$259,222 Florida Department of Transportation Grant funds to Fund 129, Subfund 01, P11597.129-D479 (revenue) and P11597.129-6599 (expenditure) and transfer \$74,396.71 from P00469.331-6599, Sidewalk Recapitalization, to P11597.331-6599, both in Fund 331, Subfund 01. P00469.331 Sidewalk Recapitalization Project has \$282,000 available in FAMIS as of February 24, 2010.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0335

RESOLUTION NO. 10-63

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010, BY TRANSFERRING AND APPROPRIATING \$74,396.71 TO FUND 331 AND ACCEPTING THE TRANSFER OF SAFE ROUTE TO SCHOOL GRANT FUNDS OBTAINED BY BROWARD COUNTY FROM FLORIDA DEPARTMENT OF TRANSPORTATION FOR PROJECT DESIGN AND CONSTRUCTION OF SIDEWALK ADJACENT TO HARBORDALE ELEMENTARY SCHOOL.

Transfer of Grant from Broward County (CR-05)
Safe Route to School – Thurgood Marshall Elementary School - \$36,022

Appropriate \$36,022 Florida Department of Transportation Grant Funds to Fund 129, Subfund 01, P11596.129-D479 (revenue) and in P11596.129-6599 (expenditure) and transfer \$10,338.32 from P00469.331-6599, Sidewalk Recapitalization, to P11596.331-6599, both in Fund 331, Subfund 01. P00469.331 Sidewalk Recapitalization Project has \$282,000 available in FAMIS as of February 24, 2010.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0332

RESOLUTION NO. 10-64

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010, BY TRANSFERRING \$10,338.32 IN FUND 331 AND ACCEPTING AND APPROPRIATING THE TRANSFER OF SAFE ROUTE TO SCHOOL GRANT FUNDS IN THE AMOUNT OF \$36,022 OBTAINED BY BROWARD COUNTY FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION TO FUND 129 FOR PROJECT DESIGN AND CONSTRUCTION OF SIDEWALK ADJACENT TO THURGOOD MARSHALL ELEMENTARY SCHOOL.

911 Public Safety Telecommunicator Training

(CR-06)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 10-0293

RESOLUTION NO. 10-65

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA SUPPORTING HOUSE BILL 355 AND SENATE BILL 742 RELATING TO PUBLIC SAFETY TELECOMMUNICATORS.

PURCHASING AGENDA

105-10431 Janitorial Services

(PUR-01)

\$37,538.70 is available in Fund 001, Subfund 01, POL020401, 3222 (Custodial Services; \$1,030.20, POL030407, 3222; \$1,044.00, POL030409; \$3,056.40, POL040401, 3222; \$1,704.00, POL010201, 3222; \$3,596.00, POL030201, 3222; \$3,427.00, POL030408, 3222 and \$1,471.20, POL020408, 3222.

One-year contract with three, one-year renewals for janitorial services with three, one-year extension options is being presented for approval by Police Department.

Recommend: Motion to approve.

Vendor: Image Janitorial Services Inc., d/b/a Image Companies
Lake Park, FL

Amount: \$91,630.24 Annual

Bids Solicited/Rec'd: 860/24

Exhibit: Commission Agenda Report 10-0290

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

103-10455 Lease – Police Motorcycles

(PUR-02)

\$27,953.10 is available in Fund 001, Subfund 01, POL030411, 3307 (Vehicle Rental). Dollar amount listed is for the remainder of the current fiscal year. Remaining balance of \$27,953.10 is subject to the appropriation and approval of the FY 10/11 budget.

Sixty-month contract with Motorsports of Orlando, LLC, d/b/a Seminole Harley-Davidson for five-year lease program with one dollar purchase at lease end for fifteen Harley-Davidson motorcycles is being presented for approval by Police Department.

Recommend: Motion to approve.

Vendor: Motorsports of Orlando, LLC, d/b/a Seminole Harley-Davidson
Sanford, FL

Amount: \$55,906.20 (12 month cost for 15 bikes)

Bids Solicited/Rec'd: 179/9

Exhibit: Commission Agenda Report 10-0315

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

502-10423 Interpretive Signage

(PUR-03)

\$4445 is budgeted and encumbered in P11072.129B-6599 fund type 10, fund 129 subfund 01; \$5430 is budgeted and encumbered in P11183.129B-6599 fund type 10, fund 129, subfund 01; \$4445 is budgeted and encumbered in P11016.340-6599 fund type 30, fund 340, subfund 01; \$11,525 is budgeted and encumbered in P11056.129-6510, fund type 10, fund 129, subfund 01; \$3460 is budgeted and encumbered in P11017.129B-6599 fund type 10, fund 129, subfund 01; \$6095 is budgeted and encumbered in P10904.129-6510 fund type 10, fund 129, subfund 01.

One-year contract with three, one-year renewals for purchase of interpretive signage is being presented for approval by Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Wilderness Graphics, Inc.
Tallahassee, FL

Amount: \$35,400.00

Bids Solicited/Rec'd: 1063/6

Exhibit: Commission Agenda Report 10-0215

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

**602-10404 – Split Rail Wood Fencing and Wood Fiber Mulch Pathway
Cypress Creek Sand Pine and Sailboat Bend Preserves**

(PUR-04)

**\$17,571 is budgeted in P10904.129-6510 fund type 10, fund 129 subfund 01;
\$36,977 is budgeted in P11056.129-6510 fund type 10, fund 129 subfund 01.**

Purchase split rail fencing and engineered wood fiber mulch pathways for Cypress Creek Sand Pine Preserve and Sailboat Bend Preserve is being presented for approval by Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: A.C.T. Services, Inc. Tropic Fence, Inc.
 Hialeah, FL Pompano Beach, FL

Amount: \$54,548.30

Bids Solicited/Rec'd: 945/9

Exhibit: Commission Agenda Report 10-0304

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

Application of Protective Coatings – Lohmeyer Wastewater Treatment Plant (PUR-05)

Funding of \$174,900 will be available in PBS670502-3428 Fund 451 Subfund 01 after approval of CAR 10-0254 Fund Appropriation; \$9,500 is available in P11420.451-6599, Fund 451, Subfund 02 and \$165,400 is available in P00401-6599, Fund 451, Subfund 02.

Contract for application of protective coatings at Lohmeyer Wastewater Treatment Plant and deepwell injection site is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: West Florida Maintenance, Inc.
 Apollo Beach, FL

Amount: \$174,900.00

Bids Solicited/Rec'd: 682/12

Exhibit: Commission Agenda Report 10-0256

The Procurement Services Department has reviewed this item and recommends an award to the low bidder, West Florida Maintenance, Inc.

402-10410 – Plumbing – Maintenance Services (PUR-06)

\$84,100 is available in PBS030401, Subobject 3428 – building repair and maintenance, Fund 001, Subfund 01.

One-year contract with three one-year renewals for plumbing – maintenance services is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: A-1 Paradise Plumbing, Inc. d/b/a Paradise Service Technologies
Oakland Park, FL

Amount: \$84,100.00 estimated annual

Bids Solicited/Rec'd: 1070/3

Exhibit: Commission Agenda Report 10-0264

The Procurement Services Department has reviewed this item and recommends awarding to the low bidder A-1 Paradise Plumbing, Inc. d/b/a Paradise Service Technologies.

602-10414 – (PUR-07)
Jack and Harriet Kaye Park Fountain and Plaza Replacement

\$122,600 is budgeted in Fund 331, Subfund 01, P11014.331-6599 Construction.

Purchase equipment and installation services for replacement fountain and plaza at Jack and Harriet Kaye Park is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Lambert Bros., Inc.
Fort Lauderdale, FL

Amount: \$122,600.00

Bids Solicited/Rec'd: 1266/13

Exhibit: Commission Agenda Report 10-0276

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

492-10310 – Laboratory Testing Services (PUR-08)
Contract Assignment from Genapure Analytical Services, Inc.

No budgetary impact.

Assignment of laboratory testing services contract is being presented for approval by Public Works Department, subject to execution of assignment by assignor and assignee in substantially form provided.

Recommend: Motion to approve.

Vendor: Florida Testing Services, L.L.C. d/b/a XENCO Laboratories
Boca Raton, FL

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0305

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

602-10374 – City Hall Chiller Plant Replacement - \$639,000

(PUR-09)

\$700,000 is pre-encumbered as RQ1002665-01 and 02 in P11299.328-6599 and P11299.331-6599. The pre-encumbered funds are reserved for this purpose (Funds 328 and 331 both in Subfund 01). Engineering fees are 8 percent (5 percent Inspection, 2 percent Administration, and 1 percent Purchasing). Also, transfer \$50,000 from P11236.331-6599-01 General Capital Projects Holding account-2009 Capital Maintenance CIP Project, to P11299.331-6599-331-01. The pre-encumbered funds plus the transfer are sufficient to fund the purchase, the 10 percent contingency and 8 percent engineering fees.

Purchase equipment and installation services for replacement of air conditioning chiller plant at City Hall and transfer funds to complete funding of purchase, 10 percent contingencies and 8 percent engineering fees is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Turnkey International, Inc.
Doral, FL

Amount: \$639,000.00

Bids Solicited/Rec'd: 868/8

Exhibit: Commission Agenda Report 10-0265

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

**Geotechnical Engineering and Laboratory Testing Services -
Citywide Projects**

(PUR-10)

Purchases are made on an as needed basis and charged to the individual projects in accordance with established pricing.

A motion accepting the Consultants Competitive Negotiations Act Selection Committee's recommendation of ranking firms – geotechnical engineering and laboratory testing services for citywide projects and authorizing the proper City Officials to commence negotiations with top ranked firm, Nodarse & Associates, Inc.

Recommend: Motion to approve.

Vendor: Nodarse & Associates, Inc.
West Palm Beach, FL

Amount: N/A

Bids Solicited/Rec'd: 591/12
Exhibit: Commission Agenda Report 10-0329

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

504-10412 – Multi-Space Parking Meters - (PUR-11)
EMS Data Management – Credit Card Service – Parts and Supplies

\$161,500 is budgeted in Fund 461/01, PAR020102 6410; \$2,100 is budgeted in Fund 461/01, PAR020102 3299; and \$3,000 is budgeted in 461/01, PAR020102 3999. A budget transfer request to move \$19,600 from PAR020101-3199 to PAR020102-6410 for the meters is pending, both in Fund 461, Subfund 01. Funding for the balance of the meter purchases (\$199,603) and related parts, supplies, and services will be included in the FY10/11 budget, subject to Commission approval.

Two-year contract for purchase of 32 multi-space parking meters, EMS data management – credit card service and parts and supplies is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.
Vendor: Digital Payment Technologies Corp.
 Burnaby, BC
Amount: \$373,700.00 (estimated two-year total)
Bids Solicited/Rec'd: 922/4
Exhibit: Commission Agenda Report 10-0218

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

502-10438 – Compact Loader – Vehicle Replacement (PUR-12)

\$48,220 is budgeted in Fund 583, Subfund 01, PAR030101, 6416.

Purchase one compact loader vehicle replacement identified in 2009-2010 Fleet Plan is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.
Vendor: ASAP Equipment Rental & Sales
 Sarasota, FL
Amount: \$48,220.00
Bids Solicited/Rec'd: 250/6
Exhibit: Commission Agenda Report 10-0266

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

The following items were removed from the Consent Agenda:

Motion made by Vice Mayor Roberts and seconded by Commissioner Rogers that Consent Agenda Items M-17, CR-03, CR-04, and PUR-07 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 Rodstrom, Commissioner DuBose, Commissioner Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: None.

Amendment 1 – Task Order 13 – Chen and Associates (M-17)
Consulting Engineers – Fort Lauderdale Beach Park Wall Replacement –
Parking Lot ADA Improvements

Art Seitz, 1905 North Atlantic Boulevard, claimed that South Beach is the most popular with locals. He urged the Commission pursue getting the necessary approvals to have a sidewalk wider than ten feet in this area. Don Morris, Beach Community Redevelopment Agency Director, advised that a thirteen foot sidewalk will be investigated. The construction costs will be provided to the Commission for their decision.

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

On-Street Parking – North Side of East Broward Boulevard (CR-03)
East of NE 15 Avenue

Commissioner Rogers wished to withdraw this motion for reconsideration so that the original motion will go through as passed.

Motion made by Commissioner Rogers and seconded by Vice Mayor Roberts to withdraw his motion for reconsideration. Roll call showed: YEAS: Commissioner Rodstrom, Commissioner DuBose, Commissioner Rogers, Vice Mayor Roberts, and Mayor Seiler. NAYS: None.

Transfer of Grant from Broward County (CR-04)
Safe Route to School – 222 Harbordale Elementary School - \$259,222

Commissioner Rogers indicated that the neighborhood had questions regarding the actual location and design of the sidewalk. Albert Carbon, Public Works Director, explained that Broward County recently requested the City take over this grant project

because it is within the city limits. It is for SE 10 Avenue, heading south into the school. Staff is considering moving it to the east side of the school, next to the cemetery. It must stay on 10 Avenue or the grant will be lost. In response to Commissioner Rodstrom, he believed the least disruptive would be north of the school on the east side and possibly moved to the west side at the school. Commissioner Rogers reiterated the neighborhood's concerns, in terms of location, and asked staff to ensure that the neighborhood is involved in the planning process.

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

602-10414 –

(PUR-07)

Jack and Harriet Kaye Park Fountain and Plaza Replacement

Commissioner Rogers suggested the possibility of a Neighborhood Capital Improvement Project (NCIP) grant funding for this project, rather than the General Fund Capital Improvement Program (CIP). Albert Carbon, Public Works Director, advised the neighborhood has never applied for an NCIP grant. In response to Commissioner Rodstrom, Mr. Carbon provided the historical background on the project, noting it is well within the original estimated cost. Vice Mayor Roberts pointed out that the Commission previously approved this item; it is below the budgeted amount; and the neighborhood expects it to be completed.

In response to Commissioner Rogers, Mr. Carbon verified that the construction has not begun. Commissioner Rodstrom questioned if it is unsightly and whether it could be postponed or possibly look for donations. Vice Mayor Roberts reiterated that the project was previously approved and should move forward for that reason. However, funding for new projects like this one should be scrutinized. Mayor Seiler agreed that anything new should be put on hold.

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

MOTIONS

Procurement of Airport Liability Insurance

(MD-01)

No budgetary impact.

A motion authorizing the procurement of airport liability insurance through negotiation method is being presented for approval by Finance Department.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 10-0291

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

Proprietary – CBRNE Detection and Classification Systems (MD-02)

\$77,533.59 is budgeted in GMMRS09, Subobject 6499, Capital Outlay, Other Equipment, Fund 129, Subfund 01.

Purchase CBRNE Detection and Classification Systems (chemical, biological, radiological, nuclear, explosive) is being presented by Fire Rescue Department.

Recommend: Motion to approve.

Vendor: Fisher Scientific Company, LLC
Pittsburgh, PA

Amount: \$77,533.59

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0277

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

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

Proprietary – Firefighter Employee Training – Broward Fire Academy (MD-03)

\$42,400 is budgeted in Fund 001, Subfund 01, FIR010302, 4101.

Purchase firefighter training and testing at McFatter – Broward Fire Academy is being presented for approval by Fire Rescue Department.

Recommend: Motion to approve.

Vendor: The School Board of Broward County
Fort Lauderdale, FL

Amount: \$42,400.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0281

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

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

Proprietary – Lucas 2 External Compression Devices (MD-04)

\$158,600 is budgeted in GEMS10-6499, Fund 129, Subfund 02.

Purchase thirteen LUCAS 2 external chest compression devices is being presented for approval by the Fire Rescue Department.

Recommend: Motion to approve.

Vendor: Physio Control, Inc.
Redmond, WA

Amount: \$158,600.40

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 10-0289

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

Mayor Seiler advised that the City has a matching grant on this from the State.

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

Proprietary – Tasers and Air Cartridges (MD-05)

\$9,990.00 is available in Fund 001, Subfund 01, POL020406, 3946

Purchase ten lasers and air cartridges is being presented for approval by Police Department.

Recommend: Motion to approve.

Vendor: DGG Taser, Inc.
Jacksonville, FL

Amount: \$9,990.00
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 10-0284

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

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

Contract Increase for Air Lauderdale Beachfest Cleanup (MD-06)
AAA Plus Maintenance Services, Inc.

\$20,000 budgeted in PBS090101-3299 fund 409, subfund 01.

Increase contract with AAA Plus Maintenance Services, Inc., in the amount of \$20,000, for Air Lauderdale Beachfest – costs to be reimbursed to City by Fort Lauderdale Air Show, LLC.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 10-0294

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

Proprietary – Tennis Instructor Agreements (MD-07)

FY09/10 additional \$60,000 is budgeted in PKR011001-3246 GF001, subfund 01. FY 10/11 \$235,000 projected to be budgeted in PKR011001-3246, GF001, subfund 01 – contingent upon the approval and appropriation of the FY 10/11 budget.

One-year extension and increase in current amounts – tennis instructor agreements – submitted for approval by Parks and Recreation Department.

Recommend: Motion to approve.
Vendor: Various Vendors (see attached)
Amount: \$295,000 (estimated)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 10-0308

The Procurement Services Department has reviewed this item and recommends increase in expenditure and a one-year contract extension.

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

RESOLUTIONS

Lot Clearing and Cleaning – (R-01)
Special Assessment Liens for Associated Cost

No budgetary impact.

Vice Mayor Roberts introduced the following resolution:

RESOLUTION NO. 10-57

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.

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

Appeal – Historic Preservation Board – Dr. Kennedy Homes – Case 2-H-09 (R-02)
Demolition, Alteration and New Construction –
Sailboat Bend Historic District

No budgetary impact.

Applicant: Housing Authority of Fort Lauderdale
Location: 1004 West Broward Boulevard
Zoning: Residential Multifamily Mid Rise Medium High RMM-25

De Novo Hearing of an Appeal of the Historic Preservation Board decision to deny a Certificate of Appropriateness for demolition of 42 structures, alteration of three structures, and new construction of eight buildings with a total of 132 residential units.

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

Greg Brewton, Director of Planning and Zoning, highlighted information provided in Commission Agenda Report 10-0237.

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

Robert Lochrie, representing the Housing Authority of Fort Lauderdale and Carlisle Development Group, also highlighted the request contained in Commission Agenda Report 10-0237. He went on to review slides and Exhibit 5 from time to time concerning this matter. A copy of the slides is attached to these minutes. In 2004, the Housing Authority inventoried their units and found that many did not meet the standards they wanted to provide; therefore, they partnered with various groups and consultants to redevelop their properties. He elaborated upon their redevelopment efforts including Dixie Court, Northwest Gardens and this proposed development. There are 232 individuals living at Kennedy Homes, 37 of those are in families and 75 are children. The units are too small; they do not meet today's living condition standards. A goal of the Housing Authority was to replicate what they have done at Dixie Court. The only vehicular access is around the perimeter of the site. The interior buildings do not have vehicular access which does not meet today's safety standards. The new project provides that each unit will be accessible by a driveway for convenience and enhancement of safety standards. There are currently 205 trees on the site, but it does not meet the code requirement of 252 trees. The new project includes 421 trees, with 4.52 acres of open and green space made possible by varying the building heights. This project will be submitted for LEED (Leadership In Energy and Environmental Design) certification, therefore energy efficient appliances, fixtures, and materials will be used.

Being that Kennedy Homes lies within the Sailboat Bend Historic District, a certificate of appropriateness is required and is being sought for demolition, new construction, and alteration of three existing structures. Each certificate has general requirements and its own criteria. The Housing Authority believes that the three criteria for demolition shown in the slide titled Three Criteria for Demolition have been met. Kennedy Homes does not have the same characteristics as other buildings in Sailboat Bend. Kennedy Homes was developed after 1940, yet the code speaks directly to 1940. There is also an attorney opinion on the 1940 date. This property has never been designated by the City as an architectural or archeological landmark. The code requires such a designation. Lastly the demolition and redevelopment is a major benefit to the historic district.

Mr. Lochrie submitted and reviewed resumes for all individuals representing the Applicant which were made a part of the record.

Ellen J. Uguccioni, representing the Applicant, believed that in order for preservation to survive, it must be discerning. Kennedy Homes has a place in the social history of this city. She went on to discuss information provided in Exhibit 5 (Sections A5 and A6) of

the Commission Agenda Report. When Kennedy Homes was added to Sailboat Bend Historic District boundary when a master plan was created it was stated that they were a buffer and contributing because they were built in the 1940's style. The differences between Sailboat Bend and Kennedy Homes are very evident. Her thesis is not that Kennedy Homes lacks historic value, rather, that it should not be attached to the historic district. The demolition will positively impact the property by allowing the new construction. Preservation must recognize the reality of the living conditions in Kennedy Homes. The current conditions are clearly substandard. Kennedy Homes is not a street grid like Sailboat Bend. She believed that Kennedy Homes is completely dissimilar to Sailboat Bend Historic District, and that is why the demolition criteria are met in the ULDR (Unified Land Development Regulations) (see Exhibit 5, page 9). The new development has generous green space and amenities for children and the elderly. Kennedy Homes is the last public housing project in Fort Lauderdale. She asserted her strong belief in recognizing and preserving historic buildings, as well as the importance of caring for the less fortunate. She believed this project is a combination of a good preservation ethic because it preserves three Kennedy Homes' buildings and the creation of a compatible new building.

According to the City's zoning regulations, Mr. Lochrie noted the site density is about twenty-five units per acre or approximately 211 residential units with a maximum height of fifty feet or 5-story buildings throughout the entire site. Additional guidelines in the Sailboat Bend Historic District were taken into consideration in designing the new project. He believed the outcome is a project that is more consistent with the district than exists today.

Margi Nothard of Glavovic Studio, representing the Applicant, highlighted points in Exhibit 5 (Sections B3 and B5) of the Commission Agenda Report and reviewed those slides specifically pertaining to the site plan for the new construction portion of the project. She noted that she is a resident of Sailboat Bend. She remarked about the many goals in the design that are also outside of information in Exhibit 5. She noted that they worked with the community to develop site plan design options. A lot of research was done and time spent with Broward County planners. The senior community comprises approximately forty units and is situated on the ground floor. She discussed entrances and how they transition into other parts of the community.

Mr. Lochrie advised that the following presentation is about the three buildings that will be maintained which will be converted to a public computer lab, library, exercise room and a community area.

Terence O'Conner of Glavovic Studio, representing the Applicant, reviewed those slides specifically pertaining to the alterations of the existing structures. The buildings will look as they did when first built. He corrected the slide that indicates windows will be floor to ceiling to specify seven feet. In response to Mayor Seiler and Commissioner Rogers, Mr. O'Conner noted the current ADA access that was added and will now be removed and addressed through regrading. The three buildings were selected for renovation by collaborating with the neighborhood. It was decided to place them on Palm Avenue in memory of the original project.

Mr. Lochrie went into detail about the slide titled, Myths and Misunderstandings. He submitted letters of support from the Broward County Housing Authority and the House of Hope for the record. He also submitted an application filed by the Broward County Trust for Historic Preservation to designate Kennedy Homes on the national register of historic buildings and emphasized it is not at all related to what is before the Commission at this time. In the event the buildings are given the historic designation, a mitigation strategy has been developed. He concluded by emphasizing that the site will be used for better, clean and safe housing.

Mayor Seiler opened the floor for public comment.

Janet Riley, Broward County Legal Aid Service representative for Willie Baldwin and Johnnie Price, residents of Dr. Kennedy Homes, believed there is a critical need for low income housing. But, there must be a better way to improve the living conditions than converting to tax credit housing. Residents will have to apply and pay security deposits to return to the new project; they will have no guarantees. It will no longer be public housing. She objected to the three-minute limit. The historic element of the comprehensive plan must be addressed.

Roosevelt Walters, 1207 NW 10 Place, indicated that he is in favor of the project. The current living conditions are substandard. The majority of residents desire new construction rather than rehabilitation.

John Atkinson, 921 SW 88 Terrace, advised that his property is located directly behind Kennedy Homes. He indicated that he is in favor of the project. One side of the street appears slum-like. Kennedy Homes residents park vehicles on his property frequently because of insufficient parking. There is inadequate play area for children.

Linda Maddox, 221 East Dixie Court, conveyed that she transferred residency from the old to new Dixie Court. She is very satisfied with the living conditions and is in favor of the Kennedy Homes project. The residents of Kennedy Homes should be given improved living conditions.

Alysa Plummer, 1123 West Las Olas Boulevard, indicated that she is in favor of the Kennedy Homes residents obtaining decent, affordable housing. She referred to the Historic Preservation Element of the City's Comprehensive Plan, noting its purpose and Objective 1.8, Policy 1.8.2, 1.8.3, 1.8.4. A copy of the element segments is attached to these minutes. She suggested that re-development be examined more closely, rather than demolition and perhaps adaptive re-use of the BARC (Broward Addiction Recovery Center) facility. She also referred to the statistical analysis of pre and post 1940 structures in the Sailboat Bend Historic District Study, noting it specifically mentions Dr. Kennedy Homes which was entered into the record.

Willie Doe, 161 SW 9 Terrace, indicated that he is in favor of the project. The current living conditions are substandard.

Mark Kerr, 916 SW 2 Street, advised that his aunt has lived nearby Kennedy Homes for 60 years. The current living conditions at Kennedy Homes are substandard. He objected to the project. The streets on both sides leading into the project are in need of

beautification. He would like to see the buildings better maintained or refurbished. They should remain single story.

Wilbert Ponder, 183 SW 9 Terrace, indicated that he is in favor of the project. The current living conditions are substandard. There is inadequate play area for children. He submitted 116 signed letters of support for the City's Housing Authority which were entered into the record. The message in the letters of support read as follows: *I am a resident in Dr. Kennedy Homes and I am writing to express my support for the plan to improve and revitalize the Dr. Kennedy Homes Housing Project located at 1004 West Broward Boulevard. I support the efforts of the Housing Authority of the City of Fort Lauderdale to invest in improving the living conditions at Dr. Kennedy Homes. Providing quality affordable housing is an important service in our community. I support the complete demolition and remodeling of Dr. Kennedy Homes. I urge you to also support the Dr. Kennedy Homes revitalization efforts.*

Squire Allen, 179 SW 9 Terrace, indicated that he is in favor of the project. The current living conditions are substandard.

Deatra McCoy, 1740 NW 24 Terrace, claimed that the Kennedy Homes residents were not involved in the planning of the proposed project. She believed that the new project will no longer provide public housing, therefore, affordable housing will not be available. She objected to the project.

Mike Ferber, 422 NE 2 Avenue, indicated that he is in favor of the project. The living conditions are substandard.

Ralph Johnson, 2441-1 E. Aragon Boulevard, Sunrise, noted his experience and credentials. He contended that restoration would achieve the same results as the proposed project.

Ruth Clarke, 1504 Argyle Drive, thought that the living conditions are substandard. She indicated that she is in favor of the project.

Beth Ravitz, 649 NE 17 Avenue, indicated that she is in favor of the project.

Daniel Chilgren, Carlisle Development Group and Sailboat Bend resident, asserted that the living conditions are substandard. He indicated that he is in favor of the project.

Susan McClellan, Historic Preservation Board Vice Chairperson, noted the safety aspects have not been addressed. She cautioned the Commission to look at the Applicant's cost projections and noted that LEED accreditation will significantly increase the project cost. Information used by Ms. McClellan in her comments is attached to these minutes and additional information she submitted was entered into the record.

Richard Locke, 805 SW 4 Street, claimed that there are no available funds for disabled Kennedy Homes' residents to relocate. Kennedy Homes was totally renovated in 1990, but then neglected. It can be rehabilitated again. He objected to the project. Information submitted by Mr. Locke was entered into the record.

Diane Smart, president of Broward Trust for Historic Preservation, conveyed that the Trust has submitted a proposal for Kennedy Homes' listing on the national register of historic places. She went on to discuss the register program. A national registration does not affect interior upgrades or interior modernization. It does recognize the integrity of the 1941 campus design. She noted that Scott Strawbridge of the Housing Authority has requested a delay on the register hearing and asked that more historical information on the Housing Authority be included in the application. She consented to this. There will be a new review in July. She referenced a letter from the Florida Division of Historical Resources that was made a part of the record.

Marsha Ellison, president of Fort Lauderdale, Broward NAACP, asserted that her organization is in favor of the project. The living conditions are substandard. She met with and reviewed details of the project with the Kennedy Homes residents, and they voted unanimously in favor of the project.

Charles Jordan, 1225 SW 4 Court, noted his experience and credentials. He objected to holding this hearing, claiming that there is no legal basis for this de novo hearing. He disagreed with the report rendered by Ellen Ugucconi, representing the Applicant. He went on to elaborate upon the flaws he saw in it. Kennedy Homes is an integral part of the historic district. It is one of the few remaining examples of this type of construction. He objected to the project. He submitted a copy of the Sailboat Bend Historic District Study that was entered into the record.

Robert Walsh, 401 East Las Olas Boulevard, expressed that he was in favor of the project, as long as the cost will not burden the taxpayer.

Nolan Haan, 729 SW 2 Court, maintained that he purchased multiple properties in Sailboat Bend because it is a historic district. The historic preservation ordinance should apply to all of the properties. He believed that the proposed project does not pass the visual compatibility test because; it is too massive. It should be no higher than three stories. He objected to the project. He also objected to this de novo hearing as to its basis. He submitted a court reporter's certified transcript of the October 5, 2009 Historic Preservation Board meeting that was entered into the record.

Mr. Lochrie objected to offering this transcript into evidence as expert witness testimony because the Commission does not have the ability to hear the testimony and decide whether it is expert testimony.

George Gadson, 8834 NW 75 Court, Tamarac, indicated that he is in favor of the project.

David Parker, 801 SW 2 Court, president of Sailboat Bend Civic Association, submitted documents on this topic which are attached to these minutes. He desired improved housing for residents of Kennedy Homes. He would like the buildings to be refurbished in order to maintain the historic district. He elaborated upon the neighborhood's efforts to work with the Applicant. He objected to the project.

Peter Coetzee, 1338 SW 4 Court, noted his experience and credentials. He indicated that he is in favor of the project. He maintained that the cost for renovation is difficult to predict.

Frenchi Tyler, 140 SW Palm Avenue, resides at Kennedy Homes and is in favor of the project.

Dev Motwani, 2600 Castilla Isle, expressed that he is in favor of the project. The living conditions are substandard.

Michael Runyan, BJK Construction, advised of his company's participation in the Dixie Court project. The proposed project will bring jobs and commerce to the community. He expressed that he is in favor of the project.

Dennis Purcell, 6720 NW 27 Terrace, indicated that he is in favor of the project.

Dave Baber, 921 SW 4 Street, Administrator and Historic Preservation Officer for Broward County Historical Commission, offered to serve as a community expert in historic preservation at this hearing.

Nicholas Tranakas, M.D., 3050 NE 45 Street, chairperson of the Housing Authority Board of Commissioners, noted his experience and credentials. He asserted that he is in favor of the project.

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

Commissioner Rogers wanted more clarification on the definition to determine whether these structures are contributing to the historic district. The City Attorney referred to his opinion issued in 2005 concerning the period of significance for the property being 1940 and prior, and that it is integral in determining how the property contributes to the district. He provided the language that would amend the code to clarify the definition of a contributing property.

Commissioner Rogers expressed his premise that being located in a historic district alone does not define Kennedy Homes as a contributing property. He would like to find the necessary information to perform an analysis to determine if it ever contributed. The City Attorney clarified that the information he provided regarding the definition of a contributing property is the proposed ordinance amendment. He elaborated on how the ordinance can be interpreted. Mayor Seiler asserted that because the proposed ordinance is a draft, it should not be the standard applied for reaching a decision tonight. In response to Commissioner Rogers, the City Attorney advised that the property would have had to contribute to the period of significance which was 1940 and prior. Since 2005, he has interpreted the period of significance to mean pre-1940. Mr. Lochrie verified that the Applicant is in agreement with the City Attorney's position on this matter. He elaborated by providing additional reasons why he believes Kennedy Homes does not contribute to the historic district. He went on to highlight information and submit a 2009 study from the City's website that shows the City's historic resources which was entered into the record. Kennedy Homes is not included. Also, the application for the national register does not mention the property's location in Sailboat Bend.

Commissioner Rogers noted that the contrary argument to the pre-1940 contention is that contributing structures are not solely defined by age. Mr. Lochrie reiterated that Kennedy Homes does not and never has contributed to Sailboat Bend Historic District and reviewed some examples of their dissimilarities. Even if the first criteria concerning contributing does not exist, but the project is of major benefit, it is sufficient. Commissioner Rogers questioned Mr. Lochrie's opinion of the historic district's study showing Kennedy Homes as part of the historical documents that created the district. Mr. Lochrie advised that he did not examine that document, but rather the City's ULDR and how it applies to this property. He found that the only reference to 1940 is in the code, where it states that new construction shall be compatible with pre-1940's.

In response to Vice Mayor Roberts, Mr. Lochrie confirmed that public housing is not being eliminated and outlined what is being done. He reiterated the Applicant's development experience and mentioned the Dixie Court project, reiterating the satisfaction communicated by those residents. The Applicant will manage this project in the same way as Dixie Court. The Applicant will pay for individuals to move out and to move back in. Commissioner DuBose advised that currently the streetscaping is not complete, but when completed, both sides of 2 Street will be uniformly improved. Mr. Lochrie said the Applicant would be willing to more than currently planned with the neighbors on the other side. He clarified that the new Kennedy Homes project will no longer be classified as public housing; it will be tax credit financed affordable housing. Each resident will be given a voucher to temporarily move elsewhere and to return. In response to Commissioner DuBose, Mr. Lochrie advised that the Housing Authority will waive the security deposit for existing tenants of Kennedy Homes.

In response to Mayor Seiler, Ms. Riley advised that her clients (Johnnie Price and Willie Baldwin) have lived at Kennedy Homes for years, but was unsure of the exact length of time. Mayor Seiler inquired whether she knew when this property contributed to the historic district. Ms. Riley believed that it is a landmark, but, because she has not legally analyzed the matter, requested that Mr. Baber respond. Mayor Seiler asked when it was designated as a landmark. Ms. Riley thought it has always been a landmark but did not know of any official designation. She advised that she does not object or have knowledge about the project with respect to the historic aspect, rather the reality is that there are security deposits. People will have to sign a one-year lease wherever they relocate and then break it in order to move back.

In response to Mayor Seiler's question concerning the contributing issue, Mr. Baber advised that, based on his review of the Sailboat Bend Historic District Study which was made a part of the record, buildings built before 1940 are referred to as historic and automatically included as contributing buildings in the district. Referring to the study, he noted 212 are pre-1940 and 53 (built between 1940 and 1950) that possess the characteristics to be reflective of that early period are contributing. Of the 76 in the buffer, only two are historic, that is pre-1940. the study indicates that Kennedy Homes are contributing structures having been built in the 1940's style. Mayor Seiler pointed out contradictory information in the study. Mr. Baber clarified that based on his knowledge of the National Register Program, generally buildings must be fifty years old for eligibility. They can be less than fifty years old, if they have exceptional significance. He felt when the study was completed eighteen years ago, the period of significance for

the district was not yet complete, but it did recognize buildings less than fifty years old that contributed to the district. It is establishing a method to recognize these types of structures. This period is between 1940 and 1950. In disagreement with the Applicant, he maintained that Kennedy Homes exactly represents the stylistics of typical Sailboat Bend buildings. He elaborated upon the similarities.

At Mayor Seiler's request, Ms. Uguccioni defined a historic district as an ensemble of properties that contribute to a theme. She believed the theme in Sailboat Bend is that of a working class neighborhood and that the period of significance ends at 1940. In 1989, DPZ (Duany Plater-Zyberk) study included Kennedy Homes in Sailboat Bend. It made sense that it would be a buffer. She elaborated upon the design transitional period with the war ending. The fact that Kennedy Homes are multi-family units does not speak to the significance as stated in the Sailboat Bend Historic District. Mayor Seiler went on to refer to the Sailboat Bend Historic District Study where it says that the newer structures make a statement about and contribute to the community, although they are not contributing to the historic district in a technical sense. Ms. Uguccioni reiterated her belief that Kennedy Homes does not contribute to the district and elaborated upon their dissimilarities with Sailboat Bend. She confirmed that Kennedy Homes is multi-family. Mayor Seiler referred to another statement that the multi-family structures do not compliment the older social fabric and tradition cherished in Sailboat Bend. Ms. Uguccioni advised that is her point. She elaborated upon the four types of significance defined by the national register: architecture, events, persons, and archaeology. She believes Kennedy Homes represents a social history aspect. In further response to Mayor Seiler, Ms. Uguccioni noted her experience and credentials. She clarified that the term of landmark in the City's ordinance refers to a single structure and not a contributing structure within a district. Her belief is that Kennedy Homes is not a landmark, rather it is complimentary to the historic district. To her knowledge, it has not been designated a landmark.

In response to Commissioner Rogers' question concerning the buffer reference, Ms. Uguccioni believed it had to do with urban planners protecting the single family homes and explained that, to her knowledge, there is no such term as buffer in historic preservation theory and practice. In further response, she conveyed that the cookie-cutter style of Kennedy Homes is dissimilar to the eclectic architectural nature of Sailboat Bend. The first step, when creating a historic district, is establishing defensible boundaries. To her knowledge, this was not considered in this case. In order for the historic preservation profession to have credibility, there must be defensible rationale and she did not believe that had been done at Sailboat Bend.

Mr. Baber elaborated upon information in the study concerning the buffer and identifies buildings within the buffer that are significant with Kennedy Homes being contributing. Commissioner Rogers asked about the single family versus multi-family distinction. In response to Mayor Seiler, Mr. Baber believed a group wrote the study with assistance by Duany Plater-Zyberk and heavy community involvement. Mr. Baber noted there is multi-family in Sailboat Bend. There are some built in the 1960's that he thought are viewed as not contributory. He discussed the building industry after the war but Kennedy Homes was not in that period. He went on to mention characteristics of multi-family buildings in the district. The fact that Kennedy Homes' buildings are clustered together is irrelevant. It does not diminish the value of the architectural type. It is a reasonable

style to recognize in the neighborhood. He agreed that Kennedy Homes is socially significant, but other factors such as architecture also contribute to its significance. Kennedy Homes is the only public housing development left in the city. Commissioner Rogers understood there is a negative aspect to the social historical part of this and questioned whether that should come into play in the analysis. Mr. Baber agreed it is an important part of history and should be recognized. Mayor Seiler thought that preserving three buildings would maintain the historical element without continuing the negative aspect. Mr. Baber disagreed that it would be sufficient.

Commissioner DuBose articulated that none of the speakers tonight have expressed a desire to live in Kennedy Homes in its current state. No one dictated living conditions to people who moved to Sailboat Bend. He pointed out public safety and health issues related to inaccessibility of units as well as the presence of mold. The focus should have to do with the people who live there. In response to Commissioner DuBose, Mr. Lochrie advised that the zoning would yield 211 units. The Applicant did not seek 211 units and five-story throughout the project because they were sympathetic to being in keeping with the design of Sailboat Bend. Commissioner DuBose asserted the critical need for affordable housing; he did not want to pass on an opportunity to increase the affordable housing stock. Mr. Lochrie confirmed that the current funding approval is for 132 and they are trying to work with the Sailboat Bend neighborhood. At this point, more units cannot be added. There will be a large amount of green, open space and play areas. The eighteen unit decrease from their original plan was a concession for the neighborhood and will accommodate the three preserved structures.

Vice Mayor Roberts agreed with Commissioner DuBose that the issue is about people being provided appropriate housing and eliminating public safety issues related to inaccessibility. He believed that Kennedy Homes is not a landmark and that it never contributed to the historic district. As a social justice issue, the project should go forward.

Commissioner Rogers expressed his advocacy of historic preservation and considers adaptive reuse as a first option. However, he believed that the most credible expert testimony was provided by the Applicant. He reviewed some highlights of tonight's hearing including pre-1940 criteria, landmark status, contributing structure. He believed that the Applicant has met the criteria set forth in the ULDR and has been sensitive to the neighborhood's concerns.

Mayor Seiler believed that the Commission is compelled to follow the law and has heard testimony from several experts. He encouraged staff to utilize Mr. Baber's expertise in the future.

Vice Mayor Roberts introduced the following resolution:

RESOLUTION NO. 10-58

A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF FORT LAUDERDALE, FLORIDA, APPROVING
A CERTIFICATE OF APPROPRIATENESS FOR
DEMOLITION OF FORTY-TWO STRUCTURES,

ALTERATION OF THREE STRUCTURES AND NEW CONSTRUCTION OF EIGHT BUILDINGS WITH A TOTAL OF ONE HUNDRED AND THIRTY-TWO RESIDENTIAL UNITS IN CONNECTION WITH THE PROPERTY LOCATED AT 1004 WEST BROWARD BOULEVARD AND AUTHORIZING THE PROPER CITY OFFICIALS TO ISSUE THE NECESSARY PERMITS.

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

Board and Committee Appointments

(R-03)

No budgetary impact.

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

Budget Advisory Board	Ray Williams (Commissioner Rogers)
Charter Revision Board	Alain Jean (Commissioner DuBose)
Community Appearance Board	Lucy Harty (Commissioner DuBose)
Community Services Board	Suzanne E. Higgins (Vice Mayor Roberts)
Economic Development Board	Kenny Herskowitz (Mayor Seiler)
Education Advisory Board	Gwendolyn Dudley (Commissioner DuBose) Edna Elijah (Commissioner DuBose) Lillian Small (Commissioner DuBose) Shezette Blue-Small (Commissioner DuBose)
Marine Advisory Board	Herb Rassing (Commissioner DuBose) Randolph Adams (Commissioner Rogers)
Nuisance Abatement Board	Matthew H. Scott (Mayor Seiler)
Short-Term Residential Use Committee	Lula Myers (Commissioner DuBose)

Vice Mayor Roberts introduced the following resolution:

RESOLUTION NO. 10-59

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

Extend Life Safety Code Retrofit Relief

(OB)

Vice Mayor Roberts introduced the following resolution:

RESOLUTION NO. 10-62

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING LEGISLATIVE EFFORTS TO EXTEND LIFE-SAFETY CODE RETROFIT RELIEF TO COMMUNITY ASSOCIATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

CITIZEN PRESENTATIONS

Miranda Lopez – Beach

(CIT-01)

Ms. Lopez was not present.

Joe Holland - Beach

(CIT-02)

Mr. Holland noted his experience, credentials, and civic contributions. He referred to the Central Beach Alliance and noted recently people utilized misplaced assistance from the City’s Neighborhood Recognition Committee. He and Miranda Lopez were excluded. He thought that false testimony was provided and requested the meeting record be revisited. He mentioned a north beach island alliance once existed and was fairly successful. However, unforeseen issues involving alliance common element issues were its demise. He elaborated upon work he accomplished in developing alternative alliances including the Central Beach Alliance by-laws to preserve qualification for participation in the Neighborhood Recognition Program and so that membership could remain open to individuals residing within the Alliance’s outer boundaries and within the boundaries of pre-existing, recognized neighborhoods. The Alliance maintained Neighborhood Recognition Program status and membership continued to be open to Dolphin Isles and other single family homeowner associations. The unanswered question is who or what

was the moving force behind the reassessment by the Alliance on the by-laws and why was the membership excluded from this change. By a simple reinterpretation of existing by-law language and ignoring traditional practice, the Alliance board has excluded people from the membership without submitting the question to their own membership. This became evident when a board application for himself and Miranda Lopez, both Dolphin Isles residents, was rejected.

Art Seitz - Beach

(CIT-03)

Mr. Seitz elaborated upon incidents that have transpired within the Central Beach Alliance political structure and contended that they are corrupt. He felt there should be an audit of the membership records.

Mr. Seitz believed that the beach should be connected to the downtown area for pedestrians and cyclists. He cited statistics for bicycle and pedestrian accidents in Florida. In the current A-1-A paving project from Sunrise Boulevard to the south, he suggested narrowing the traffic lanes and widening the bicycle lane. Regarding the Bahia Mar project, he believed it is too massive and questioned the consideration to build condominiums on public land. The green space is being reduced. He felt the developer is interested in reselling it. He suggested the amenities and reduced density proposed in Kennedy Homes should be copied on Bahia Mar.

Robert Walsh – Employee Free Choice Act

(CIT-04)

Mr. Walsh was not present.

Virgil E. Niederriter - Swales

(CIT-05)

Mr. Niederriter was not present.

PUBLIC HEARINGS

**Rezoning to Parks, Recreation and Open Space -
1720-1824 SW 17 Street - City of Fort Lauderdale –
Bill Keith Preserve Park – Case 12-Z-09**

(PH-01)

No budgetary impact.

Applicant: City of Fort Lauderdale
Location: 1720, 1812, 1824 SW 17 Street
Current Zoning: Industrial I
Proposed Zoning: Parks, Recreation and Open Space P

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

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

Mayor Seiler announced a site visit made concerning this matter.

Vice Mayor Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-08

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM I TO P, THAT PORTION OF LOT 17, MRS. E.F. MARSHALL'S SUBDIVISION OF GOVERNMENT LOTS 1-4, LYING SOUTH OF SOUTHWEST 17TH STREET AND NORTH OF THE SOUTH FORK NEW RIVER AND CURRENTLY KNOWN AS BILL KEITH NATURE PRESERVE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

**Rezoning to Parks, Recreation and Open Space -
1401 SW 2 Court - City of Fort Lauderdale -
Sailboat Bend Preserve – Case 13-Z-09**

(PH-02)

No budgetary impact.

Applicant: City of Fort Lauderdale
Location: 1401 SW 2 Court
Current Zoning: Residential Low-Rise Multifamily RML-25
Proposed Zoning: Parks, Recreation and Open Space P

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

Mayor Seiler announced a site visit made concerning this matter.

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

Vice Mayor Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-09

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RML-25 TO P, LOTS 1 THROUGH 7, BLOCK 3 AND LOTS 1 THROUGH 10, BLOCK 4 AND THE ADJACENT VACATED RIGHTS OF WAY, "RIVER HIGHLANDS", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE WEST SIDE OF SOUTHWEST 14TH AVENUE, AT SOUTHWEST 2ND COURT, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

Relief from Zoning Requirements for Public Purpose Use and Site Plan Review - SE 15 Street Boat Launch and Marine Complex – 1784 SE 15 Street – Case 24-R-09 (PH-03)

P11422.331, Fund 331, Subfund 01, Subobject 6599 \$2,590, P11422.129A&B, Fund 129 Subfund 01, Subobject 6599, \$291,715 each account. P11422.129C, Fund 129, Subfund 01, Subobject 6599 dollars not booked yet see CAR 09-1617 \$876,906 executed grant to treasury 2/22/2010, P11422.129D, Fund 129, Subfund 01, Subobject 6599, \$582,101, P11422.328, Fund 328, Subfund 01, Subobject 6599, \$3,090, P11422.129, Fund 129, Subfund 01 Subobject 6599 \$120,000. Total Funding: \$2,168,117.

Applicant: City of Fort Lauderdale
Location: 1784 SE 15 Street
Zoning: Community Facility CF
Land Use: Residential Medium-High

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

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

There being no individuals wishing to speak on this matter, a motion was made by Commissioner Rogers and seconded by Vice Mayor Roberts to close the public hearing.

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

Commissioner Rogers pointed out that the new ordinance increasing the parking (stall size); citing individuals for parking on the landscaping; and tree mitigation. Diana Alarcon, Director of Parking and Fleet Services, advised that a draft has been forwarded to the City Attorney and she will be meeting with the homeowners association (Harbordale) regarding the tree mitigation.

Commissioner Rogers introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-10-10

AN ORDINANCE APPROVING IMPROVEMENTS TO AN EXISTING BOAT LAUNCH AND MARINE COMPLEX THAT DO NOT MEET THE LANDSCAPING AND LIGHTING REQUIREMENTS IN A CF ZONING DISTRICT AS PROVIDED IN THE UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR"), WHICH SITE IS MORE FULLY DESCRIBED AS LOTS 29 THROUGH 40, BLOCK 2, "GULF POINT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 53, PAGE 15, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. LOCATED ON THE SOUTH SIDE OF SOUTHEAST 15TH STREET, EAST OF CORDOVA ROAD AND COMMONLY KNOWN AS THE 15TH STREET BOAT RAMP AS A PUBLIC PURPOSE USE; AND GRANTING RELIEF FROM THE ULDR REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE ULDR OF THE CITY OF FORT LAUDERDALE, FLORIDA.

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

ORDINANCES

Pain Clinics - Moratorium

(O-01)

No budgetary impact.

Vice Mayor Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-10-07

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

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

New River Condominiums - 500 NW 24 Avenue

(OB)

Valerie Bohlander, Director of Building Services, advised that code enforcement has boarded this dilapidated property twice in the past two years. An emergency was declared to get the structures boarded with metal material because traditional boarding was removed. She displayed photographs concerning this matter. These structures are a public nuisance and a dire situation. In response to Mayor Seiler, Ms. Bohlander maintained that fencing was ineffective. After a period of three months, the paperwork will be organized and staff plans to take this to the Unsafe Structures Board to seek demolition. Commissioner Rodstrom asked about potential liability. Ms. Bohlander advised the entire property has been abandoned. The City Attorney explained under this emergency situation, the property is being secured. There have not been any legal issues related to the previous board-up attempts.

There being no other matters to come before the Commission, the regular meeting was adjourned at 11:21 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk