

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
JUNE 7, 2011

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
June 7, 2011**

Meeting was called to order at 6:05 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1st floor Chambers.

Roll call showed:

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

Absent: None.

Also Present: Acting City Manager Allyson C. Love
City Auditor John Herbst
City Clerk Jonda K. Joseph
City Attorney Harry A. Stewart
Sergeant At Arms Sergeant Jerry Williams

In the absence of Pastor David Rambarran, First Church of the Nazarene, invocation was offered by Commissioner Rogers, followed by the recitation of the pledge by Mayor Seiler.

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

Motion made by Commissioner Rodstrom and seconded by Commissioner Roberts to approve the minutes of the April 20, 2011 and May 3, 2011 Conference Meetings. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

Presentations

1. LET'S MOVE! DAY - JULY 15, 2011 (PRES-01)

Commissioner Rodstrom presented a proclamation designating July 15, 2011, as Let's Move! Day in the City to Marie Rock, Recreation Program Coordinator. Ms. Rock thanked the Commission, and noted the parks and recreation department's commitment to provide daily healthy activities for children.

2. COMMENDATIONS - LaQUINTA ALLEN AND TIM ANDREWS (PRES-02)
UNITED STATES JUDO CHAMPIONSHIP

Vice Mayor DuBose presented commendations of recognition to LaQuinta Allen and Tim Andrews, members of Onikusu Judo Club, for their outstanding performance in the sport of Judo. Marsha Ellison, president of the Fort Lauderdale Branch of the NAACP, thanked the City's police and parks and recreation departments for their partnership with this program.

3. DONATION FROM LOCAL ARTIST ISABEL PEREZ AND (PRES-03)
BROWARD ART GUILD - ORIGINAL ARTWORK TITLED
STRANAHAN HOUSE

Commissioner Roberts accepted a donation of original artwork titled Stranahan House from local artist Isabel Perez and Gerard Delaney, Executive Director, Broward Art Guild, as part of the guild's participation in the Centennial Celebration. Mr. Delaney expressed the guild's honor and delight to take part in the Centennial Celebration, and for their new location in the City's North Beach area. He thanked the Commission and public for their support. Ms. Perez elaborated upon the materials and technique she used to create the Stranahan House artwork.

4. OUTSTANDING CITY EMPLOYEES (PRES-04)

Albert Carbon, Public Works Director, presented the STAR Award to the following Distribution and Collection Division employees: Keith Hutchison; Jose DiCienzo; Brian Eddington; Vincent Brown; Paul Vitrano; Dan Rozelle; Joe Arena; Greg Duty; Joe Heyward; Steve Roberts, Jr.; Kris Kmon; and Fred Smith in recognition of their dedication and hard work as leaders of the work groups that keep the City's water systems continuously operational, even in extremely adverse conditions. Mark Darmanin, Distribution and Collection Manager, emphasized this group's hard work and dedication to provide the City with reliable utility service. He thanked Julie Leonard, Assistant Utilities Services Director, Operations, for her leadership which allows them to excel.

Diana Alarcon, Director of Parking and Fleet Services, recognized Andrew Brunson and Dale Black, Municipal Maintenance Workers II, for the observant and quick thinking actions they took to aid the police in apprehending and identifying an individual who vandalized and stole property from a vehicle in the City Park Garage.

Terry Rynard, Acting Parks and Recreation Director, recognized Susan Fyfe Molnar, Recreation Worker, for serving the City since the late 1980's. She noted the wide range of projects Ms. Molnar has worked on, including the City's Centennial Riverfest where she utilized her vast community connections to enhance the event. She remarked on Ms. Molnar's consistently positive attitude and her extensive involvement with numerous community agencies. Ms. Molnar was honored to receive this award, and thanked her husband for his help.

Mayor Seiler thanked all of the award recipients for their service to the City.

5. DISTINGUISHED BUDGET PRESENTATION AWARD (PRES-05)

RESEARCH AND BUDGET DIVISION, FINANCE DEPARTMENT

The Acting City Manager announced that the Research and Budget Division of the City's Finance Department won the Distinguished Budget Presentation Award for Fiscal Year 2010-2011 from the Government Finance Officers Association. She recognized the following employees for this achievement: Shonda Singleton-Taylor; Douglas C. Wood; Norm Mason; Margaret Evan; Diane Lichtenstein; Stacey Balkaran; and Bobbi Williams.

**REZONING TO PLANNED UNIT DEVELOPMENT - BAHIA MAR –
CASE 3-ZPUD-08****(O-02)****No budgetary impact.**

Motion made by Commissioner Roberts and seconded by Commissioner Rodstrom to defer second reading of this item to June 21, 2011 (see Conference Meeting discussion). Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers and Mayor Seiler. NAYS: None.

CONSENT AGENDA**EVENT AGREEMENT - DIG THE BEACH SERIES****(M-01)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Exclusive Sports Marketing, Inc. of Florida for Dig The Beach Series, to be held on the following Saturdays and Sundays in 2011: June 25 and 26, July 23 and 24, and July 30 and 31, at Fort Lauderdale Beach Park, 7 AM - 8 PM.

Recommend: Motion to approve.**Exhibit:** Commission Agenda Report 11-0703**EVENT AGREEMENT - ART WALK LAS OLAS****(M-02)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Las Olas Association, Inc., for Art Walk Las Olas, to be held in 2011 on the following Thursdays: July 21, August 18 and September 15, 6 PM - 9 PM.

Recommend: Motion to approve.**Exhibit:** Commission Agenda Report 11-0806**EVENT AGREEMENT - THE RED EYE****(M-03)**

No budgetary impact.

A motion authorizing and approving execution of an Event Agreement with ArtServe, Inc., for The Red Eye, to be held July 22, 2011, 6 PM - 9 PM, at ArtServe - 1350 East Sunrise Boulevard.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0810

EVENT AGREEMENT - WHERE THE CARS ARE**(M-04)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Antique Automobile Club of America, Fort Lauderdale Region, Inc., for Where The Cars Are, to be held on the following Thursdays in 2011: August 25, September 22 and October 27, 6 PM - 9 PM, on the Riverside Hotel Lawn.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0811

EVENT AGREEMENT - BACK TO SCHOOL GIVEAWAY 2011**(M-05)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Mount Bethel Human Services Corporation, Inc., for Back to School Giveaway 2011, to be held August 20, 2011, 10 AM - 2 PM, at Joseph C. Carter Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0809

**CONTRACT EXTENSION - HOUSEHOLD HAZARDOUS WASTE
COLLECTION EVENTS - \$1,200 – JOINT PARTICIPATION
AGREEMENT - BROWARD COUNTY****(M-06)****Please see funding details attached to these minutes.**

A motion authorizing the proper City Officials to execute one-year extension to Joint Participation Agreement with Broward County - Household Hazardous Waste Collection Events.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0770

AMENDMENT 1 TO CONTRACTS PREVIOUSLY AWARDED – (M-07)
LOCAL AGENCY PROGRAM - FLORIDA DEPARTMENT OF
TRANSPORTATION - E-VERIFY EMPLOYMENT ELIGIBILITY

No budgetary impact.

A motion authorizing the proper City Officials to execute Amendment 1 to certain previously awarded contracts under Florida Department of Transportation's local agency program - adding provision concerning U.S. Department of Homeland Security new E-Verify employment eligibility system.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0779

CHANGE ORDER 2 - LMK PIPE RENEWAL, LLC - CREDIT (\$1,528.20) – (M-08)
ADD 45 DAYS - WASTEWATER CONVEYANCE SYSTEM
LONG-TERM REMEDIATION

Please see funding details attached to these minutes.

A motion authorizing 1) Change Order 2 with LMK Pipe Renewal, LLC, in net CREDIT amount of (\$1,528.20) - quantity adjustments and the addition of 45 non-compensable calendar days to contract period - Wastewater Conveyance System Long-Term Remediation Project 16 Sewer Basin D-37 South - Laterals - Project 11444-S and 2) reduce encumbrance by \$1,528.20.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0772

CHANGE ORDER 5 - QUINN CONSTRUCTION, INC. - (M-09)
\$172,473.11 - SW 11 AVENUE SWING BRIDGE REHABILITATION

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to execute Change Order 5 to Quinn Construction, Inc., in the amount of \$172,473.11 - additional work - SW 11th Avenue Swing Bridge Rehabilitation - Project 10057.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0782

CHANGE ORDER 1 - TOMASIOU ENTERPRISES, INC. - \$90,099.95 (M-10)

EULA JOHNSON RENOVATION AND REUSE

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to execute Change Order 1 to Tomasiou Enterprises, Inc., in the amount of \$90,099.95 - additional work - Eula Johnson Renovation and Reuse - Project 11521.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0802

**CHANGE ORDER 1 - SOUTHERN FLORIDA PAVING GROUP, LLC - (M-11)
\$151,357.24 - PEDESTRIAN LIGHTING - SOUTH MIDDLE RIVER
SIDEWALK IMPROVEMENTS**

Please see funding details attached to these minutes. \$172,473.11

A motion authorizing the proper City Officials to execute Change Order 1 to Southern Florida Paving Group, LLC, in the amount of \$151,357.24 - add installation of pedestrian lighting - South Middle River Sidewalk Improvements - Project 11540.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0804

**CHANGE ORDER 1 - CRAIG BARBER ENGLE CONSTRUCTION (M-12)
CO., INC. - \$26,353.79 - FIRE STATION 35 –
1841 EAST COMMERCIAL BOULEVARD**

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to execute Change Order 1 to Boran Craig Barber Engle Construction Co., Inc., in the amount of \$26,353.79 - additional work - Fire Station 35 - 1841 East Commercial Boulevard - Project 10919.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0814

CHANGE ORDER 3 - CENTRAL FLORIDA EQUIPMENT RENTAL, INC. - (M-13)
\$89,605.74 - NE/NW 6 STREET - SISTRUNK BOULEVARD
STREETSCAPE AND ENHANCEMENT PROJECT

Please see funding details attached to these minutes.

A motion authorizing Change Order 3 with Central Florida Equipment Rental, Inc., in the amount of \$89,605.74 plus \$6,272.41 estimated 7 percent engineering fees - additional work - NE/NW 6 Street - Sistrunk Boulevard Streetscape and Enhancement - Project 10448.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0835

TASK ORDER 9 - KESSLER CONSULTING, INC - \$59,210 (M-14)
SANITATION ROUTE BALANCING AND ALL SERVICES REVIEW –
RATE STUDY ASSISTANCE

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to execute Task Order 9 with Kessler Consulting, Inc., in substantially the form provided - not to exceed amount of \$59,210 - sanitation route balancing review, all services review and assistance with rate study.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0797

TRANSFER FUNDS TO GENERAL CAPITAL PROJECTS HOLDING (M-15)
ACCOUNT - SEAWALL REPLACEMENT AND SE 15 STREET
BOAT LAUNCH AND MARINE COMPLEX

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to transfer funds to General Capital Projects Holding Account from completed projects - Seawall Replacement by Performing Arts Center and SE 15 Street Boat Launch and Marine Complex.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0818

NEIGHBORHOOD CAPITAL IMPROVEMENT GRANT PROGRAM -\$35,000 (M-16)
TARPON RIVER CIVIC ASSOCIATION, INC. –
MURALS FOR MARSHALL BRIDGE

Please see funding details attached to these minutes.

A motion awarding a Neighborhood Capital Improvement Program Grant, in the amount of \$35,000, to Tarpon River Civic Association, Inc. and reimbursing association for eligible costs up to \$35,000 - murals for Marshall Bridge - Neighborhood Capital Improvement Grant Program - Project 11693.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0798

TARPON RIVER CIVIC ASSOCIATION, INC. - TRANSFER FUNDS - \$2,000 (M-17)
NEIGHBORHOOD CAPITAL IMPROVEMENT GRANT PROGRAM

Please see funding details attached to these minutes.

A motion transferring \$2,000 for installation of illuminated bollards - relocation of electrical panel by Almor Electric & Design Inc. - Tarpon River Neighborhood Civic Association - Neighborhood Capital Improvement Grant Program - Project 11519.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0822

CONTRACT AWARD - HORIZON CONTRACTORS, INC. - \$103,470.15 (M-18)
SUNRISE BOULEVARD STREETScape

Please see funding details attached to these minutes.

A motion authorizing the proper City Officials to award and execute contract with Horizon Contractors, Inc., in the amount of \$103,470.15 - Sunrise Boulevard Streetscape between Interstate 95 and NW 9 Avenue - Project 11194 - stamped asphalt crossing, ADA modification, sidewalk repair and landscaping in existing median - plus 17 percent engineering fees and 10 percent contingencies.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0828

DISBURSEMENT OF FUNDS/JOINT INVESTIGATION/O.R. 10-56999 - (M-19)
\$1,983.86 - LAW ENFORCEMENT TRUST FUND

Please see funding details attached to these minutes.

A motion authorizing equitable disbursement of \$11,903.16 with each of the eleven

participating law enforcement agencies to receive \$991.93 and Fort Lauderdale Police Department to receive \$1,983.86 due to additional assigned agent.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 11-0720

DISBURSEMENT OF FUNDS/JOINT INVESTIGATION/O.R. 10-72678 - (M-20)
\$12,255.20 - LAW ENFORCEMENT TRUST FUND

Please see funding details attached to these minutes.

A motion authorizing equitable disbursement of \$67,403.15 with each of the ten participating law enforcement agencies to receive \$6,127.55 and Fort Lauderdale Police Department to receive \$12,255.20 due to additional assigned agent.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 11-0722

DISBURSEMENT OF FUNDS/JOINT INVESTIGATION/O.R. 10-57000 - (M-21)
\$594.64 - LAW ENFORCEMENT TRUST FUND

Please see funding details attached to these minutes.

A motion authorizing equitable disbursement of \$3,567.44 with each of the eleven participating law enforcement agencies to receive \$297.28 and Fort Lauderdale Police Department to receive \$594.64 due to additional assigned agent.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 11-0723

SETTLEMENT - POLICE PROFESSIONAL LIABILITY FILE - \$35,000 (M-22)

Please see funding details attached to these minutes.

A motion authorizing settlement of Police Professional Liability File PP L 07-809 (Barbara Rolle) - \$35,000.

Recommend: Motion to approve.
Exhibit: Commission Agenda Report 11-0842

**CEMETERY PERPETUAL CARE TRUST FUND - TRUSTEE SERVICES – (M-23)
SUNTRUST BANK - RESIGNATION OF TRUSTEE AND
ACCEPTANCE OF SUCCESSOR TRUSTEE**

No budgetary impact.

A motion authorizing the proper City Officials to execute an agreement accepting the resignation of Bank of America, N.A., and acceptance of SunTrust Bank as Successor Trustee - Cemetery Perpetual Care Trust Fund

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0794

**CONSENT TO FIRST AMENDMENT TO LEASE – NORTHWEST (M-24)
COMMERCIAL REDEVELOPMENT - MJDC AOA, LLC AND
MORAN FOODS, INC. d/b/a SAV-A-LOT - FAMILY DOLLAR**

No budgetary impact.

A motion authorizing the proper City Officials to execute Consent to Amendment to Lease between MJDC AOA, LLC and Moran Foods, Inc. d/b/a Sav-A-Lot - proposed lease with Family Dollar to occupy retail space - Northwest Commercial Redevelopment Project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 11-0588

CONSENT RESOLUTION

**GRANT ACCEPTANCE - SNYDER PARK - QUADRANT 1 - \$50,000 (CR-01)
BROWARD COUNTY LAND STEWARDSHIP PROGRAM –
PARTNERS IN PRESERVATION**

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0829

RESOLUTION NO. 11-152

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF PARTNERS IN PRESERVATION LAND STEWARDSHIP PROGRAM GRANT FUNDS IN THE AMOUNT OF \$50,000 FROM BROWARD COUNTY FOR

SNYDER PARK, QUADRANT 1; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY ACCEPTING AND APPROPRIATING GRANT FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

**DONATION FROM CHEVY YOUTH BASEBALL
JOSEPH C. CARTER PARK YOUTH BASEBALL PROGRAM**

(CR-02)

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0780

RESOLUTION NO. 11-153

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$500 AND A YOUTH BASEBALL FUNDRAISER KIT FROM CHEVY YOUTH BASEBALL THROUGH THE LOU BACHRODT CHEVROLET DEALERSHIP FOR THE JOSEPH C. CARTER PARK YOUTH BASEBALL PROGRAM; AND AMENDING THE FINAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011, BY ACCEPTING AND APPROPRIATING SUCH GRANT FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

AIR TRAFFIC CONTROL TOWER LAND LEASE - EXECUTIVE AIRPORT **(CR-03)**
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0454

RESOLUTION NO. 11-154

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE SECOND AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT, PARCEL 5 AT FORT LAUDERDALE EXECUTIVE AIRPORT.

EMPLOYEE 457 DEFERRED COMPENSATION PLANS – PARTICIPANT LOANS (CR-04)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0816

RESOLUTION NO. 11-155

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

LOT CLEARING AND CLEANING - SPECIAL ASSESSMENT LIENS FOR ASSOCIATED COST (CR-05)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0790

RESOLUTION NO. 11-156

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.

BOARD-UPS - SPECIAL ASSESSMENT LIENS FOR ASSOCIATED COST (CR-06)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0747

RESOLUTION NO. 11-157

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 BOARDING SAID PROPERTIES 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.

**CONTRACT AWARD - LELACK CORPORATION - \$27,000 (CR-07)
THE LANDINGS RESIDENTIAL ASSOCIATION, INC. –
ENTRYWAY MONUMENTS**

Please see funding details attached to these minutes.

Recommend: Motion to approve and adopt resolution.

Exhibit: Commission Agenda Report 11-0747

RESOLUTION NO. 11-158

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

AMEND OPERATING BUDGET - APPROPRIATION - \$37,032.80 (CR-08)
ROTARY BLOWERS - LOHMEYER REGIONAL WASTEWATER
TREATMENT PLANT

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0738

RESOLUTION NO. 11-159

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

AMEND OPERATING BUDGET - APPROPRIATION - AMERICAN (CR-09)
EARTH MOVERS, INC. - PROSPECT WELLFIELD - LIME SLUDGE
REMOVAL AND DISPOSAL - \$1,925,520

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0784

RESOLUTION NO. 11-160

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

RECONSTRUCTION OF SUNRISE BOULEVARD BRIDGE OVER MIDDLE RIVER - \$46,053 - AGREEMENT - APPRAISAL AND ACQUISITION OF JOINT USE UTILITY EASEMENT (CR-10)

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0750

RESOLUTION NO. 11-161

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011, BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE UNDERLYING DOCUMENT AND PROVIDING FOR AN EFFECTIVE DATE.

RECONSTRUCTION OF SUNRISE BOULEVARD BRIDGE OVER MIDDLE RIVER - \$79,586 - AGREEMENT - WATER MAIN DESIGN AND RELATED UTILITY COORDINATION SERVICES (CR-11)

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0753

RESOLUTION NO. 11-162

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011, BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE UNDERLYING DOCUMENT(S) AND PROVIDING FOR AN EFFECTIVE DATE.

**SUNRISE BOULEVARD STREETScape
AMENDMENT TO AGREEMENT - GRANT EXTENSION &
REDUCED GRANT AMOUNT - \$103,470.15***

(CR-12)

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0827

RESOLUTION NO. 11-163

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE LOCAL AGENCY PROGRAM (LAP) AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO DECREASE THE ORIGINAL CONSTRUCTION GRANT AMOUNT FROM \$500,000.00 TO THE ACTUAL TOTAL FDOT PARTICIPATING BID AMOUNT OF \$103,470.15, PROVIDING FOR A ONE YEAR EXTENSION TO THE GRANT DEADLINE FOR COMPLETION OF THE SR 838 SUNRISE BOULEVARD STREETScape PROJECT AND AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AND PROVIDING FOR AN EFFECTIVE DATE.

*This item (Commission Agenda Report 11-0827) was revised in accordance with Memorandum No. 11-164 which is attached to these minutes.

**SE 10 AVENUE HARBORDALE ELEMENTARY SCHOOL SIDEWALK -
\$114,075.50 - AMENDMENT TO AGREEMENT - GRANT EXTENSION &
REDUCED GRANT AMOUNT***

(CR-13)

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0781

RESOLUTION NO. 11-164

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE LOCAL AGENCY PROGRAM

(LAP) AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO DECREASE THE ORIGINAL CONSTRUCTION GRANT AMOUNT FROM \$259,222.00 TO THE ACTUAL TOTAL FDOT PARTICIPATING BID AMOUNT OF \$114,075.50 AND PROVIDING FOR A ONE YEAR EXTENSION TO THE GRANT DEADLINE FOR COMPLETION OF CONSTRUCTION ON THE SE 10TH AVENUE SIDEWALK AT HARBORDALE ELEMENTARY SCHOOL.

*This item (Commission Agenda Report 11-0781) was revised in accordance with Memorandum No. 11-164 which is attached to these minutes.

**NE 15 AVENUE MEDIAN LANDSCAPE IMPROVEMENTS
AMENDMENT TO AGREEMENT - GRANT EXTENSION &
REDUCED GRANT AMOUNT - \$89,538.75***

(CR-14)

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0793

RESOLUTION NO. 11-165

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE LOCAL AGENCY PROGRAM (LAP) AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO DECREASE THE ORIGINAL CONSTRUCTION GRANT AMOUNT FROM \$230,000.00 TO THE ACTUAL TOTAL FDOT PARTICIPATING BID AMOUNT OF \$89,538.75, PROVIDING FOR A ONE YEAR EXTENSION TO THE GRANT DEADLINE FOR COMPLETION OF THE NE 15 AVENUE BEAUTIFICATION PROJECT AND AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AND PROVIDING FOR AN EFFECTIVE DATE.

*This item (Commission Agenda Report 11-0793) was revised in accordance with Memorandum No. 11-164 which is attached to these minutes.

**NW 7 TERRACE THURGOOD MARSHALL SCHOOL SIDEWALK
AMENDMENT TO AGREEMENT - GRANT EXTENSION &
REDUCED GRANT AMOUNT - \$25,954.84***

(CR-15)

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0796

RESOLUTION NO. 11-166

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE LOCAL AGENCY PROGRAM (LAP) AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO DECREASE THE ORIGINAL CONSTRUCTION GRANT AMOUNT FROM \$36,022.00 TO THE ACTUAL TOTAL FDOT PARTICIPATING BID AMOUNT OF \$25,954.84, PROVIDING FOR A SIX MONTH EXTENSION TO THE GRANT DEADLINE FOR COMPLETION OF THE NW 7TH TERRACE THURGOOD MARSHALL SCHOOL SIDEWALK AND AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AND PROVIDING FOR AN EFFECTIVE DATE.

*This item (Commission Agenda Report 11-0796) was revised in accordance with Memorandum No. 11-164 which is attached to these minutes.

**CONTRACT EXTENSION - DBF CONSTRUCTION LLC - \$299,722.50
INSTALLATION OF WATER SERVICES**

(CR-16)

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0766

RESOLUTION NO. 11-167

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING

SEPTEMBER 30, 2011, BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE UNDERLYING DOCUMENT(S) AND PROVIDING FOR AN EFFECTIVE DATE.

**TASK ORDER 2011-01 - HAZEN AND SAWYER, P.C.- \$708,663 –
FIVEASH WATER TREATMENT - DISINFECTION SYSTEM
REPLACEMENT DESIGN, PERMITTING AND BIDDING SERVICES**

(CR-17)

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0834

RESOLUTION NO. 11-168

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011, BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE UNDERLYING DOCUMENT(S) AND PROVIDING FOR AN EFFECTIVE DATE.

**RESCINDING RESOLUTIONS - RELEASING LIENS
SPECIAL ASSESSMENT IMPROVEMENT PROJECTS –
STORM DRAINAGE IMPROVEMENTS**

(CR-18)

Please see funding details attached to these minutes.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0807

RESOLUTION NO. 11-169

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCINDING RESOLUTION NO. A-85-2, RESOLUTION NO. A-85-3, RESOLUTION NO. A-88-1 AND RESOLUTION NO. A-88-2 PROVIDING FOR THE CONSTRUCTION OF STORM WATER DRAINAGE IMPROVEMENTS TO BE PAID BY SPECIAL ASSESSMENTS; APPROVING THE RELEASE OF LIENS AND AUTHORIZING THE REFUND OF FUNDS

PAID FOR THE IMPROVEMENTS.

**DEDICATION OF ROADWAY, SIDEWALK & EASEMENT –
UNDERGROUNDING UTILITY LINES - NE/NW 6TH STREET –
SISTRUNK BOULEVARD STREETScape AND ENHANCEMENT**

(CR-19)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0788

RESOLUTION NO. 11-170

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DEDICATING CERTAIN LANDS DESCRIBED BELOW AS A PUBLIC ROADWAY, SIDEWALK AND UTILITY EASEMENT FOR THE CONVERSION OF OVERHEAD PUBLIC ELECTRICAL AND PUBLIC TELECOMMUNICATIONS FACILITIES TO UNDERGROUND ELECTRICAL AND TELECOMMUNICATIONS AND OTHER PUBLIC UTILITY FACILITIES WITH CERTAIN APPURTENANT ABOVE-GRADE FACILITIES INCIDENTAL THERETO, ACCEPTING SUCH DEDICATYION; REPEALIN ANY AND ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREIWTH; AND PROVIDING FOR AN EFFECTIVE DATE.

**ELECTRIC UTILITY EASEMENT DEED – UNDERGROUNDING
UTILITY LINES - NE/NW 6TH STREET - SISTRUNK BOULEVARD
STREETScape AND ENHANCEMENT**

(CR-20)

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0789

RESOLUTION NO. 11-171

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION AND DELIVERY BY THE PROPER CITY OFFICIALS OF AN ELECTRICAL UTILITY EASEMENT DEED TO FLORIDA POWER AND LIGHT COMPANY FOR UNDERGROUNDING OF OVERHEAD ELECTRICAL FACILITIES IN CONJUNCTION WITH THE NE/NW 6TH STREET – SISTRUNK BOULEVARD STREETScape /

ENHANCMENT PROJECT (CITY PROJECT 10448) THE LOCATION OF THE EASEMENT AREA BEING MORE PARTICULARLY DESCRIBED BELOW; REPEALING ALL PRIOR RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; EFFECTIVE DATE.

CONTRACT AWARD - WALKER DESIGN & CONSTRUCTION CO. - (CR-21)
MILLS POND PARK IMPROVEMENTS

Please see funding details attached to these minutes.

Recommend: Motion to approve and adopt resolution.

Exhibit: Commission Agenda Report 11-0848

RESOLUTION NO. 11-172

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

CONSENT TO ASSIGNMENT OF DEVELOPMENT AGREEMENT (CR-22)
NORTHWEST COMMERCIAL REDEVELOPMENT

No budgetary impact.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 11-0791

RESOLUTION NO. 11-173

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

LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT (CR-23)
NORTHWEST 7 - 9 AVENUE CONNECTOR –

FLORIDA DEPARTMENT OF TRANSPORTATION**No budgetary impact.****Recommend:** Adopt resolution.**Exhibit:** Commission Agenda Report 11-0795

RESOLUTION NO. 11-174

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUPPLEMENTAL LOCAL AGENCY PROGRAM (LAP) AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) REGARDING THE NORTHWEST 7th/9th AVENUE CONNECTOR AND PROVIDING FOR AN EFFECTIVE DATE.

PURCHASING AGENDA

195-10353 - STATE LEGISLATIVE LOBBYIST SERVICES - \$23,999.50 (PUR-01)**Please see funding details attached to these minutes.**

Month-to-month contract extension for state legislative lobbyist services - not to exceed six months - being presented for approval by Procurement Services Department.

Recommend: Motion to approve.
Vendor: Blosser & Sayfie, P.A.
 Fort Lauderdale, FL
Amount: \$23,999.50
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 11-0767

The Procurement Services Department has reviewed this items and recommends approving the contract extension.

MANUFACTURER WARRANTY EXTENSION - FIRE TRUCKS (PUR-02)**No budgetary impact.**

Extension of manufacturer warranty on nine Rosenbauer/Spartan Fire Trucks - six months on bumper-to-bumper portion and twenty-four months on air conditioning system.

Recommend: Motion to approve.
Vendor: General Safety Equipment, L.L.C.
 Wyoming, MN.

Amount: N/A
Exhibit: Commission Agenda Report 11-0805

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

195-10309 - PHARMACY BENEFIT MANAGEMENT SERVICES (PUR-03)
EMPLOYEE PRESCRIPTION DRUG BENEFITS

No budgetary impact.

Three-year contracts with one, one-year renewal option - administrative services and business associate agreements, in substantially the form provided - employee prescription drug benefits - Pharmacy Benefit Management Services.

Recommend: Motion to approve.
Vendor: Express Scripts, Inc.
 St. Louis, MO.
Amount: N/A
Exhibit: Commission Agenda Report 11-0825

The Procurement Services Department has reviewed this item and recommends approval of the contract documents in substantially the form attached.

2132-10750 - FIRE-RESCUE EMPLOYEE UNIFORMS - \$29,505 (PUR-04)

Please see funding details attached to these minutes.

Four, one-year contracts with three, one-year extension options for purchase of Fire Rescue employee uniforms is being presented for approval by Fire Rescue Department.

Recommend: Motion to approve.
Vendor: ScreenPrint Plus Design Lab, Inc.
 Cape Coral, FL. Greenville, SC
 Cotton King Inc. D & L Plastic Screening
 Pompano Beach, FL. Amarillo, Tx.
Amount: \$29,505.00 Total of all four combined
Bids Solicited/Rec'd: 1236/21
Exhibit: Commission Agenda Report 11-0785

The Procurement Services Department has reviewed this item and recommends awarding to the lowest responsive and responsible bidders per associated bid lots.

413-10765 - ROTARY BLOWERS - \$37,032.80
LOHMEYER REGIONAL WASTEWATER TREATMENT PLANT

(PUR-05)

Please see funding details attached to these minutes.

Purchase two positive displacement rotary blowers, plus enclosures, for Lohmeyer Regional Wastewater Treatment Plan is being presented for approval by Public Works Department.

Recommend: Motion to approve.
Vendor: Florida Bearings, Inc.
 Miami, FL
Amount: \$37,032.80
Bids Solicited/Rec'd: 336/2
Exhibit: Commission Agenda Report 11-0740

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

682-10030 - WATER EXTRACTION - REMEDIATION - WATER DAMAGE (PUR-06)
AND MOLD IMPACT

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

One-year contract extension for water extraction and remediation of water damage and mold impact services is being presented for approval by Public Works Department.

Recommend: Motion to approve.
Vendor: All County Remediation, Inc.
 Fort Lauderdale, FL
 Decon Environmental & Engineering, Inc.
 Fort Lauderdale, FL
Amount: unit prices
Bids Solicited/Rec'd: 266/13
Exhibit: Commission Agenda Report 11-0748

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

SURVEYING SERVICES

(PUR-07)

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

One-year contract extension for surveying services is being presented for approval by Public Works Department.

Recommend: Motion to approve.
Vendor: Craven, Thompson and Associates, Inc.

Ft Lauderdale, Fl.
Amount: N/A
Exhibit: Commission Agenda Report 11-0757

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

SURVEYING SERVICES

(PUR-08)

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

One-year contract extension for surveying services is being presented for approval by Public Works Department.

Recommend: Motion to approve.
Vendor: Keith and Associates, Inc.
 Pompano Beach, Fl.
Amount: N/A
Exhibit: Commission Agenda Report 11-0800

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

SURVEYING SERVICES

(PUR-09)

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

One-year contract extension for surveying services is being presented for approval by Public Works Department.

Recommend: Motion to approve.
Vendor: Stoner & Associates, Inc.
 Davie, Fl.
Amount: N/A
Exhibit: Commission Agenda Report 11-0817

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

**413-10710 - PROSPECT WELLFIELD LIME SLUDGE REMOVAL
 AND DISPOSAL - \$1,704,000**

(PUR-10)

Contract to purchase lime sludge removal and disposal services at Prospect Wellfield is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: American Earth Movers, Inc.
Miami, FL
Amount: \$1,704,000.00
Bids Solicited/Rec'd: 1004/9
Exhibit: Commission Agenda Report 11-0718

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

Motion made by Commissioner Rodstrom and seconded by Commissioner Roberts that Consent Agenda Item PUR-10, be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended.

The City Clerk noted the revisions to items CR-12, CR-13, CR-14 and CR-15, as set forth in Memorandum 11-164 which is attached to these minutes.

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

413-10710 - PROSPECT WELLFIELD LIME SLUDGE REMOVAL AND DISPOSAL - \$1,704,000 (PUR-10)

Kirk Buffington, Director of Procurement Services, drew attention to a letter of protest received from Stanford & Sons Trucking Corporation (SSTC), dated April 28, 2011, and his response letter noting the reasons for his denial of the protest, dated May 9, 2011, as set forth in Exhibits 5 and 6, respectively, of Commission Agenda Report 11-0718. The protest is based on two issues regarding the first-ranked proposer, American Earth Movers, Inc. (AEM): arrest of the company's principal; and their submission of incorrect dumping site and permit information in the bid. He explained that the arrest charges were recently dismissed; and he believes the incorrect dumping and permit information were minor mistakes that have been corrected, and should be waived as a variance. If this protest is upheld, it would be necessary to find the first and second-ranked proposals non-responsive because the second-ranked bid included a variance as well. If the third-ranked vendor (SSTC) is awarded, it would cost the City an additional \$201,000.

Mayor Seiler opened the floor for public comment.

Fitzgerald Frater, representing Stanford & Sons Trucking Corporation (SSTC), believed the City's intent to award is unlawful. The second-ranked proposer has not challenged the process and, therefore, waives right for consideration. He contended that AEM is not a responsible bidder, and their bid was non-responsive. He elaborated upon the required information from each bidder as set forth in the bid documents. He indicated that SSTC provided all required bid responses, but AEM submitted a bogus permit number, and listed a disposal site that it had no authority to use. He submitted an affidavit from the operator, indicating that AEM does not have authority to use their disposal site. A copy of this affidavit is attached to these minutes. He also submitted a court case summary (Harry Pepper & Associates, Inc. v. City of Cape Coral) which is attached to these minutes. In the Pepper case, he articulated that the awarded bidder listed a type of pipe in the bid that did not meet the City's specifications. As such, the court ruled that this

bidder could not be awarded because the bid was non-responsive as the pipe was a significant component of the project. Similarly, he believed AEM's bid is non-responsive because the permit and disposal site are significant components of this bid. The competitive bidding process was compromised because AEM was given the opportunity to obtain a price after the bid was opened.

Further, he believed the arrest of AEM's principal is significant because the City's ordinance requires evaluation of the bidder's integrity. Although the charges were dropped, he thought the City should consider that the AEM principal reportedly entered a diversion program after his arrest which, he believes, equates to an admission of guilt. In response to Mayor Seiler, he explained that the arrest charge was fraud for paying a minority company to act as a front for a municipal project. He provided news articles covering this topic which were made part of the record. He believed AEM intended to mislead the City by including the permit and disposal site information in the bid. The issue of bidder responsiveness is set forth in the City's ordinance, state law, and the body of case law. He believed SSTC should be awarded the contract because it is a responsible and responsive bidder, the next-to-lowest bid, and the only bidder to file a protest.

In response to Commissioner Rogers, he understood that the disposal component represents approximately 70 percent of the total contract amount. He reiterated that AEM sought permission to use the Bishop Mine after the bids were opened, but was denied. Commissioner Rogers pointed out the City's right to reject all bids and re-start the bidding process. Being that the City has published its intent to award, Mr. Frater questioned whether that is still an option as the City reserved the right to reject all bids, but it did not exercise this right initially. At this point, he felt it is arbitrary, capricious and contrary to law for the City to reject SSTC's bid and re-start. Commissioner Rogers noted that the City's options to award the next-lowest bidder or reject all bids are highlighted in the Pepper case. He questioned whether SSTC has an alternative plea. Mr. Frater clarified that SSTC's plea is for the City to reverse the protest denial and award the contract to SSTC. SSTC is not in favor of the City rejecting all bids and re-starting the process.

In response to Mayor Seiler and Commissioner Roberts, Mr. Buffington explained that AEM was made aware of this agenda item, but it appears no representative is present. The Pepper case involved specific pipe pumps, not pipe, which Cape Coral deemed acceptable; however, the low bidder did not submit the city-identified pipe pumps in their bid. Staff then asked that bidder if he would provide a qualifying pump at the same price. The court's opinion was that this allowed that bidder a second bite of the apple. In contrast, this City did not specify certain dump sites. He indicated that he had not been provided a copy of the affidavit. He explained that AEM included the disposal site and permit number in their bid. Staff had no reason to disbelieve their account that Bishop Mine had provided them with this information. AEM told staff that these items were wrongly listed in the bid because of a mistake by Bishop, not a clerical error. Mayor Seiler asked staff to review the affidavit and provide a recommendation

Regardless of the bid amount, Commissioner Roberts had reservations about utilizing a contractor who was accused of committing fraud in a government contract. Mr. Buffington emphasized that staff closely examined this issue with the City Attorney's Office. Based upon a reference check, staff has no reason to believe that AEM is not a responsible contractor in terms of their ability to do the work. Staff ultimately determined that a single arrest without a conviction is not sufficient grounds to reject the bid. Mayor Seiler agreed. He felt it is a bigger issue whether AEM was truthful in terms of the permit number and

dumping site rights. Mr. Buffington requested time to address this with his staff and review the affidavit. Commissioner Roberts agreed with Mayor Seiler, but stressed that there are negative implications associated with a diversion program.

This item was momentarily deferred. Continued on Page 31

MOTIONS

PROPRIETARY - HANSEN MANAGEMENT MAINTENANCE AND ASSET TRACKING - \$117,532.63 - PUBLIC WORKS (MD-01)

Please see funding details attached to these minutes.

One-year agreement for Hansen computerized management maintenance and asset tracking system software is being presented for approval by Public Works Department.

Recommend:	Motion to approve.
Vendor:	Hansen Information Technologies (Corporation) Alpharetta, GA
Amount:	\$117,532.63 Annual
Bids Solicited/Rec'd:	N/A
Exhibit:	Commission Agenda Report 11-0736

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

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.

PROPRIETARY - DISPOSAL OF GRIT, SAND AND DEBRIS - \$70,000 (MD-02)

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

Expenditure for disposal of grit, sand and debris is being presented for approval by Public Works Department.

Recommend:	Motion to approve.
Vendor:	Waste Management Inc. of Florida Houston, TX
Amount:	\$70,000.00 Estimated Annually
Bids Solicited/Rec'd:	N/A
Exhibit:	Commission Agenda Report 11-0769

The procurement Services Department has reviewed this item and recommends approval of these Proprietary purchases.

Motion made by Commissioner Rodstrom 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.

PROPRIETARY - DEWATERING CONVEYOR WEAR LINERS - \$20,830 (MD-03)
LOHMEYER REGIONAL WASTEWATER TREATMENT PLANT

Please see funding details attached to these minutes.

Purchase six dewatering conveyor wear liners for use at Lohmeyer Regional Wastewater Treatment Plant is being presented for approval by Public Works Department.

Recommend: Motion to approve.
Vendor: JDV Process Equipment Corp. a New Jersey Corporation
Montville, NJ
Amount: \$20,830.00
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 11-0741

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

Motion made by Commissioner Rogers 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.

PROPRIETARY - SINGLE SPACE PARKING METER LOCKS AND KEYS - (MD-04)
\$34,420

Please see funding details attached to these minutes.

Purchase 2,300 locks and 120 keys for single space parking meters at various locations is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.
Vendor: Login Parking, LLC
Southington, CT
Amount: \$34,420.00
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 11-0756

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

Motion made by Commissioner Rodstrom 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.

RESOLUTIONS

APPOINTMENT OF CITY MANAGER - LEE R. FELDMAN (R-01)
EMPLOYMENT CONTRACT AND SALARY

Please see funding details attached to these minutes.

Recommend: Introduce resolution.

Exhibit: Commission Agenda Report 11-0812

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 11-146

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING LEE R. FELDMAN TO THE POSITION OF CITY MANAGER OF THE CITY OF FORT LAUDERDALE AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT OF EMPLOYMENT WITH LEE R. FELDMAN TO SERVE AS CITY MANAGER OF FORT LAUDERDALE, FLORIDA, AND FIXING HIS SALARY THEREFOR.

The City Clerk confirmed for Mayor Seiler that the changes addressed during the conference meeting have been included in this resolution.

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

Newly appointed City Manager, thanked the Commission. He looked forward to working with staff and neighbors to progress and have a great city. Mayor Seiler thanked the Acting City Manager for her service to the City, and she, in turn, thanked the Commission for the opportunity. She expressed gratitude for the support and dedication of staff and the executive management team.

Note: The Commission convened as the Community Redevelopment Agency Board of Directors from 7:14 p.m. until 7:38 p.m.

413-10710 - PROSPECT WELLFIELD LIME SLUDGE REMOVAL (PUR-10)
AND DISPOSAL - \$1,704,000

Continued from Page 28

Mr. Buffington maintained that his protest denial is correct because it is based on the facts that were provided at the time. However, based on the affidavit, it appears that AEM submitted a fraudulent permit number and dumping site and is contrary to what staff was told by AEM. Therefore, staff's recommendation is to reject all bids due to budgetary constraints, given the \$201,000 additional cost if SSTC were awarded, and re-bid this in a timely fashion. Rather than rejecting all bids, Mr. Frater requested that the Commission, instead, award the contract to SSTC. He felt it is arbitrary and contrary to law to deny SSTC the contract based on the City's claim that the cost is outside of the City's budget. Mayor Seiler indicated that the Pepper case illustrates that it is one of the City's options to reject all bids and re-bid. He summarized the City's options.

Motion made by Commissioner Rogers and seconded by Commissioner Roberts to reject all bids and authorize staff to re-bid this item.

If AEM submits another bid, Vice Mayor DuBose pointed out that the Commission must be able to consider the information presented tonight. Mr. Buffington agreed that the re-bid process is open to AEM; but, given the affidavit, he would seriously review their responsibility as a bidder. He did not believe AEM could be disqualified as of now.

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

**VACATE 100 FOOT ACCESS AND UTILITY EASEMENT –
BROWARD HEALTH - 1531 SOUTH ANDREWS AVENUE –
ANDREWS AVENUE MEDICAL OFFICE BUILDING - CASE 1-M-11**

(R-02)

No budgetary impact.

Applicant: Broward Health
Location: 1531 South Andrews Avenue
Recommend: Introduce resolution.
Exhibit: Commission Agenda Report 11-0840

Commissioner Rogers introduced the following resolution:

The City Clerk announced that a copy of this revised resolution was provided to the Commission earlier today. The sidewalk will be constructed pursuant to the plans and approval of the City Engineer.

RESOLUTION NO. 11-147*

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING AN ACCESS AND UTILITY EASEMENT RETAINED BY ORDINANCE C-02-29 VACATING THAT PORTION OF SOUTHWEST 16TH STREET LYING BETWEEN SOUTH ANDREWS AVENUE AND SOUTHWEST 1ST AVENUE,

LYING AND BEING IN THE CITY OF FORT
LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

Vice Mayor DuBose had left the meeting momentarily and was not present for this vote.

*Resolution was revised.

**SITE PLAN LEVEL IV - BROWARD COUNTY COURTHOUSE
BUILDING – CASE 72-R-10**

(R-03)

No budgetary impact.

Applicant: Broward County Board of County Commissioners
Location: 101 SE 6 Street
Zoning: Regional Activity Center – City Center RAC-CC
Future Land Use: Downtown Regional Activity Center

Recommend: Introduce resolution.

Exhibit: Commission Agenda Report 11-0846
There were no individuals wishing to speak on this matter.

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

Commissioner Rogers introduced the following resolution:

RESOLUTION NO. 11-148

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF A GOVERNMENT ADMINISTRATION BUILDING KNOWN AS THE BROWARD COUNTY COURTHOUSE LOCATED AT THE CORNER OF S.W. 1ST AVENUE AND S.E. 6TH STREET, FORT LAUDERDALE, FLORIDA IN AN RAC-CC ZONING DISTRICT AS A SITE PLAN LEVEL IV DEVELOPMENT.

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

**DISPOSITION OF CITY OWNED SURPLUS PROPERTY
PARCELS IDENTIFIED AS SP 11-10, SP 11-11, SP 11-12,
SP 11-13 AND SP 11-14***

(R-04)

No budgetary impact at this time.**Recommend:** Introduce resolution.**Exhibit:** Commission Agenda Report 11-0787

Mayor Seiler expressed concern about the notice only being one day in advance. Gene Groves, Real Estate Officer, explained that these five parcels were advertised in the newspaper which is all that is required. In response to inquiries, he sent out some property lists and notified them of a forthcoming website. In an effort to maximize exposure, a couple of days before the bid due date, he sent over 1,000 emails to a pool of individuals who had shown interest in prior years. Subsequently, a real estate broker in this email pool contacted Mayor Seiler about a certain property, indicating that prospective bidders were given only one day's notice. Stephen Scott, Director of Economic Development, clarified that this resolution was revised to exclude the property specified by the real estate broker to afford a longer notice period; it will be brought back on June 21.

Commissioner Roberts questioned the minimum bid of \$9,056 for 1524 NW 4 Street, being that the City owes HUD \$17,308 for the property. He thought the minimum bid should match what the City owes. Greg Brewton, Director of Planning and Zoning, believed that the minimum bid cannot exceed the property's appraised value which is \$12,075. Mr. Groves explained that \$12,075 (appraised value) is the City's asking value. He went on to note the City Charter's requirements for these transactions; (\$9,056 is 75 percent of the asking value). Discussion ensued regarding the HUD lien and this bid. In response to Commissioner Rogers, Mr. Groves confirmed that this property was acquired with HUD funds and any sale proceeds must go back to HUD. Commissioner Rogers thought that going out for bid affords the property a better chance of being developed in a timely fashion. Commissioner Roberts agreed, but wanted to point out this pricing inconsistency.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 11-149*

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA DECLARING, PURSUANT TO CITY CHARTER SECTION 8.04, CERTAIN PARCELS SP-11-10, 11-11, 11-12, 11-13, AND 11-14, MORE PARTICULARLY DESCRIBED BELOW, NOT NEEDED FOR PUBLIC USE AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE CITY THAT SUCH PARCELS BE OFFERED FOR SALE FOR MINIMUM BIDS AS SET FORTH BELOW, WITH BIDS TO BE SUBMITTED BY AUGUST 23, 2011 AND SCHEDULED FOR FURTHER PROCEEDINGS BEFORE THE CITY COMMISSION ON SEPTEMBER 7, 2011 TO CONSIDER A RESOLUTION ACCEPTING THE BEST OFFER FOR EACH PARCEL AND AUTHORIZING CONVEYANCE OF SUCH PARCEL(S) OR REJECTING ANY AND ALL

OFFERS; REQUIRING THE CITY CLERK TO PUBLISH THIS RESOLUTION IN ONE (1) ISSUE OF THE OFFICIAL NEWSPAPER OF THE CITY WITHIN SEVEN (7) DAYS OF THE ADOPTION HEREOF; REPEALING ANY RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

This item was reopened and the resolution was revised. See discussion on page 36

BOARD AND COMMITTEE APPOINTMENTS

(R-05)

No budgetary impact.

Mayor Seiler offered a moment of silence for Lee Alexander, former Aviation Advisory Board member, who recently lost his life in a motorcycle accident.

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

Aviation Advisory Board	Mark Volchek (Mayor Seiler) Jackie Kaht (Commissioner Roberts) Bruce Larkin (Commissioner Roberts) Stephen Stella (Commissioner Rodstrom) Linda Iversen (Commissioner Rogers) Patrick Kerney (Commissioner Rogers)
Beach Business Improvement District Advisory Committee	Andreas Ioannou (Consensus) Aiton Yaari (Consensus)
Cemetery System, Board of Trustees	Jimmy Witherspoon (Vice Mayor DuBose)
Community Appearance Board	Christine Jones (Vice Mayor DuBose) Michelle L. Klymko (Vice Mayor DuBose)
Community Services Board	Jasmin D. Shirley (Vice Mayor DuBose)
Historic Preservation Board	Brenda Flowers (Vice Mayor DuBose)
Northwest-Progresso-Flagler Heights Redevelopment Board	Sonya Burrows (Vice Mayor DuBose)
Planned Unit Development Zoning District Advisory Committee	Maria Freeman (Vice Mayor DuBose)
Planning and Zoning Board	Stephanie Jean (Vice Mayor DuBose)
Sustainability Advisory Board	Cathy Curry (Vice Mayor DuBose)

Utility Advisory Committee

Deborah Fredericks (Vice Mayor DuBose)

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 11-150

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

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

CITIZEN PRESENTATIONS

**SADLER L. JAMES - International Swimming Hall of Fame
parking and beach related issues**

(CIT-01)

No budgetary impact.

Mr. James summarized his written statement on these topics which is attached to these minutes.

**ART SEITZ - Aquatic Complex, Bahia Mar Park,
Intracoastal Waterway Promenade, A-1 -A Greenway,
Ireland's Inn Parking and Beach Blight**

(CIT-02)

As for beach area parking, Mr. Seitz agreed with Mr. James. A lack of parking for decades has kept the public from visiting the beach. He noted that the City needs a cohesive plan for the 30.5 acres. Similar to Lauderdale-by-the-Sea, he thought the City should utilize the skills of architecture students from local universities. He indicated that what is good for the boat show can also benefit pedestrians. He advocated 24 feet of impediment-free space and 16 feet for landscaping. He encouraged the City to build a world-class greenway.

As for the International Swimming Hall of Fame (ISHOF), he was opposed to RDC (Recreational Design and Construction, Inc.) being utilized for this project. He felt other companies should be given more consideration in a competitive environment. He contended that staff has not yet verified the bid information provided by RDC.

He pointed out that parking and green space is needed, and the plan should take advantage of the Intracoastal Waterway. He elaborated upon recommendations that he thought the City could use to create a cohesive plan, including a greenway recommended by the Sasaki Beach Master Plan and the conceptual plan prepared by LARC (Leisure and Recreation Concepts) for the Aquatics Center. He thought it is a mistake that will result in revenue loss to include two Olympic-size swimming pools.

Continued on Page 37

DISPOSITION OF CITY OWNED SURPLUS PROPERTY (R-04)
PARCELS IDENTIFIED AS SP 11-10, SP 11-11, SP 11-12,
SP 11-13 AND SP 11-14

Continued from page 34

Greg Brewton, Director of Planning and Zoning, announced a correction, that the sale price of 1524 NW 4 Street can exceed the appraised value of \$12,075 and be set at \$17,308 to match the amount owed to HUD. It can be based on the market value or whatever has been invested into the property.

Motion made by Commissioner Roberts and seconded by Commissioner Rodstrom to reopen Agenda Item R-04 and amend the resolution to reflect a minimum bid amount of \$17,308 for the property located at 1524 NW 4 Street. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

ART SEITZ - Aquatic Complex, Bahia Mar Park, (CIT-02)
Intracoastal Waterway Promenade, A-1 -A Greenway,
Ireland's Inn Parking and Beach Blight

Continued from Page 36

In response to Mayor Seiler, Diana Alarcon, Director of Parking and Fleet Services, provided a verbal status report concerning parking in the area of Ireland's Inn, noting that there are a total of eight parking metered spaces.

PUBLIC HEARINGS

DOCK WAIVER APPLICATION - DISTANCE OF LIMITATIONS (PH-01)
KURT ZIMMERMAN - 1801 SE 7 STREET

No budgetary impact.

Applicant: Kurt Zimmerman, Trustee, CRKH Trust and CRKW Trust
Location: 1801 SE 7 Street

Application for a Waiver of Limitations - installation of 20'x7' floating dock system and associated mooring cluster piles adjacent to existing marginal dock extending a maximum distance of 31' and 42' into New River waterway.

Recommend: Open hearing, close hearing, introduce resolution.

Exhibit: Commission Agenda Report 11-0735

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

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

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

Commissioner Rogers introduced the following resolution:

RESOLUTION NO. 11-151

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.C OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, TO ALLOW KURT ZIMMERMAN, AS TRUSTEE, OF THE CRKH TRUST, U/A/D NOVEMBER 3, 2006 AND KURT ZIMMERMAN, AS TRUSTEE OF THE CRKW TRUST, U/A/D NOVEMBER, 2006 TO CONSTRUCT AND MAINTAIN A CONCRETE FLOATING DOCK AND A TRIPLE PILE MOORING CLUSTER ADJACENT TO THE EXISTING MARGINAL DOCK EXTENDING A MAXIMUM DISTANCE OF 31' AND 42' INTO THE NEW RIVER FROM THE PROPERTY LOCATED AT 1801 S.E. 7TH STREET, SUCH DISTANCE AND PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW.

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

**RELIEF FROM PARKING, FENCE AND SETBACK REQUIREMENTS (PH-02)
 FOR PUBLIC PURPOSE USE - FLOYD HULL STADIUM SITE –
2890 SW 8 AVENUE - CASE 24-R-11**

No budgetary impact.

Applicant: City of Fort Lauderdale
Location: 2890 SW 8 Avenue
Zoning: Parks, Recreation and Open Space P

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

Exhibit: Commission Agenda Report 11-0755

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

Members of the Commission announced with whom he 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 Roberts and seconded by Commissioner Rodstrom to close the public hearing. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

Commissioner Rogers introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-11-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE RENOVATION OF FLOYD HULL STADIUM AS A PUBLIC PURPOSE USE THAT DOES NOT MEET THE FENCE, PARKING AND SETBACK REQUIREMENTS IN A "P" ZONING DISTRICT AS PROVIDED IN THE UNIFIED LAND DEVELOPMENT REGULATIONS ("ULDR"), WHICH SITE IS MORE FULLY DESCRIBED AS THE SOUTH 665 FEET OF THE NORTH 700 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, ALSO KNOWN AS THE FLOYD HULL STADIUM COMPLEX LOCATED AT THE SOUTHEAST CORNER OF SOUTHWEST 28TH STREET AND SOUTHWEST 8TH AVENUE; AND GRANTING RELIEF FROM THE ULDR REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE ULDR OF THE CITY OF FORT LAUDERDALE, FLORIDA.

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

ORDINANCES

CODE AND UNIFIED LAND DEVELOPMENT REGULATIONS (O-01)
AMENDMENTS - PAIN CLINICS

No budgetary impact.

Recommend: Introduce ordinance on first reading.

Exhibit: Commission Agenda Report 11-0803

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-11-14

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING ARTICLE IX, PAIN MANAGEMENT CLINIC, CHAPTER 15, BUSINESS TAX RECEIPTS AND MISCELLANEOUS BUSINESS REGULATIONS, ESTABLISHING REGULATIONS RELATING TO THE DISPENSING OF CONTROLLED SUBSTANCES; AMENDING SECTION 47-35 DEFINITIONS, AND SECTION 47-6 BUSINESS ZONING DISTRICTS AND 47-20 PARKING AND LOADING REQUIREMENTS TO PROVIDE DEFINITIONS OF A PHARMACY, TO PROVIDE REGULATIONS AND IDENTIFY ZONING DISTRICTS WHERE PAIN MANAGEMENT CLINICS ARE PERMITTED AND PROVIDE FOR PARKING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

Mayor Seiler commented on the significance of this legislation and that the City is taking a leadership role on this matter.

Commissioner Rogers requested the City Attorney review a suggestion made by Bill Goetz via email today.

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

REZONING TO PLANNED UNIT DEVELOPMENT - BAHIA MAR – (O-02)
CASE 3-ZPUD-08

No budgetary impact.

Applicant: BRE/Bahia Mar Development, L.L.C.
Location: 801 Seabreeze Boulevard
Current Zoning: South Beach Marina and Hotel Area District SBMHA
Proposed Zoning: Planned Unit Development PUD
Future Land Use: Central Beach Regional Activity Center

Recommend: Introduce ordinance on second reading.

Exhibit: Commission Agenda Report 11-0830

This item was deferred to June 21, 2011 (see Conference Meeting discussion).

Note: The City Commission adjourned the regular meeting at 8:29 p.m. and returned to the conference meeting agenda, item I-G, from 8:29 p.m. to 9:16 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk