

**FORT LAUDERDALE CITY COMMISSION REGULAR MEETING**  
**NOVEMBER 15, 2011**

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**Presentations****1. DOCTOR NABIL EL SANADI DAY- NOVEMBER 15, 2011 - (PRES-01)  
2011 ROY M. BAKER EMERGENCY MEDICAL SERVICES AWARD**

Commissioner Roberts presented a proclamation designating November 15, 2011, as Dr. Nabil El Sanadi Day in the City to Dr. El Sanadi in recognition of him receiving the 2011 Roy M. Baker Emergency Medical Services Award. Dr. El Sanadi thanked the Commission. He read a letter of commendation for some of the City's Fire-Rescue paramedic staff written by an anesthesiologist who is also a Harvard professor. He accepted the proclamation on behalf of the commended paramedics.

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**2. ALZHEIMER'S AWARENESS MONTH – NOVEMBER, 2011 (PRES-02)**

Commissioner Rodstrom presented a proclamation designating November, 2011, as Alzheimer's Awareness Month in the City to Barbara Grsch, Alzheimer's Association. Ms. Grsch thanked the Commission. She elaborated upon the services provided by the Florida chapter of the Alzheimer's Association, and cited statistics related to the disease.

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**3. MANGROVE AWARENESS DAY – NOVEMBER 19, 2011 (PRES-03)**

Commissioner Rogers presented a proclamation designating November 19, 2011, as Mangrove Awareness Day in the City to Lee Gottlieb, Director of Eco-Action Programs, Kids Ecology Corps. He thanked the Commission. He elaborated upon the educational services provided by this organization and noted its partnership with the City for an upcoming event at Bill Keith Preserve.

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**4. COMMUNITY APPEARANCE BOARD –WOW AWARD – DISTRICT I (PRES-04)**

Commissioner Roberts recognized Zen and Susan Mierzwa as the recipients of the WOW Award for District I. Mr. Mierzwa noted his plans to build more homes.

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**5. 50 YEAR SISTER CITY RELATIONSHIP WITH CITY OF MEDELLIN (PRES-05)**

The Honorable Dale V.C. Holness, Broward County Commissioner, conveyed a message in Spanish. He went on to note that Columbia ranks as South Florida's second largest trading partner, and elaborated upon the resulting jobs and funds generated by this partnership. He emphasized the importance of building relationships with Latin American and Caribbean (cities). The Honorable Osvaldo Cuabrado, visiting Mayor from Apartado, Columbia, conveyed a message in Spanish which was translated to an expression of gratitude for the recognition he received from the City and Broward County, and hope that a lot of business will be conducted.

Marianne Winfield, President, Greater Fort Lauderdale Sister Cities, indicated that the topics raised in tonight's presentations can be used to promote the City to the seventeen sister cities as the same issues are shared by all. She thanked the Commission and staff for their support. She expressed gratitude to Dr. Abraham S. Fischler and Dr. Florence

Smith for pioneering the relationship between the City and Medellin, Antioquia, Republic of Columbia, with an education program that remains active in Medellin. She read a letter written on behalf of Medellin's council.

Mayor Seiler signed an agreement reaffirming the 50-year Sister City relationship with the City of Medellin, Antioquia, Republic of Columbia.

Broward County Commissioner Holness announced a proclamation designating November 2, 2011, as Medellin Day in Broward County.

**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 AGREEMENTS, RELATED ROAD CLOSINGS AND CO-SPONSORSHIP FOR BANNERS**

**(M-01)**

**No budgetary impact.**

Event Agreements, related road closings and co-sponsorship for banners: 1) Broward College World AIDS Day, 2) Cause For Paws, 3) City Link Beer Fest, 4) Coral Ridge Association Holiday Party, 5) Eagles Vs. Dolphins Weekend, 6) Hanukkah Festival, 7) Helping Hand To Our Community, 8) KID Inlet Challenge, 9) Love In The Park, 10) Rights Now Rally South Florida, 11) Home For The Holidays, 12) West Marine Boating Superstore Grand Opening, 13) Christmas On Las Olas and 14) Rio Vista Holiday Party.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1702

**TRANSFER \$305,423 - VARIOUS PARK PROJECTS**

**(M-02)**

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

Transfer \$305,423 from general capital projects holding accounts to fund Districts I and IV park projects.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1600

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**AGREEMENT - 2012 LAUDERDALE AIR SHOW – (M-03)**  
**LAUDERDALE AIR SHOW, LLC**

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

Agreement with Lauderdale Air Show, LLC to conduct an air show on Fort Lauderdale beach in 2012.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1699

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**CHANGE ORDER 1 - CHAZ EQUIPMENT COMPANY, INC. – CREDIT (M-04)**  
**(\$36,643.62) - DIXIE WELLFIELD WELL ABANDONMENT –**  
**ADD 21 CALENDAR DAYS**

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

Change Order 1 for addition of bid alternates, deletion of contract items, quantity increases and the addition of 21 calendar days to contract period and reduction of project encumbrance.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1525

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**CHANGE ORDER 1 - MBR CONSTRUCTION, INC. - \$41,410.42 (M-05)**  
**FLOYD HULL STADIUM FACILITY IMPROVEMENTS**

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

Change Order 1, in the amount of \$41,410.42 plus 7 percent engineering fees to 1) remove and dispose of asbestos containing stucco, 2) change scope of work for restroom and concession buildings for west and east sides of stadium and 3) furnish four black vinyl chain link gates.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1578

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**CHANGE ORDER 2 - SOUTHERN FLORIDA PAVING GROUP, LLC – (M-06)  
\$30,368.95 - SOUTH MIDDLE RIVER SIDEWALK IMPROVEMENTS**

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

Change Order 2 for increased scope of work and materials based on field conditions and measurements.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1673

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**CHANGE ORDER 2 (FINAL) - METRO EQUIPMENT SERVICE, INC. - (M-07)  
CREDIT - (\$44,885.50) - WASTEWATER CONVEYANCE SYSTEM  
LONG-TERM REMEDIATION - BASIN D-37**

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

Change Order 2 (FINAL) for additional work and quantity reconciliation to close out project.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1688

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**CHANGE ORDER 5 - SOLUTION CONSTRUCTION, INC. – CREDIT (M-08)  
(\$87,298.20) - SOUTH ANDREWS AVENUE WATER MAIN IMPROVEMENTS**

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

Change Order 5 for new items, quantity increases and credits and reduction of encumbrance by (\$87,298.20).

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1703

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**CHANGE ORDER 2 (FINAL) - TOMASIOU ENTERPRISES, INC. - \$35,045.16 (M-09)  
EULA JOHNSON HOUSE RENOVATION**

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

Change Order 2 (FINAL) for increased scope of work and close-out of Eula Johnson House renovation project and transfer the funds.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1799

This item was deferred until the correlating CRA (Community Redevelopment Agency) item 4 was addressed.

**TASK ORDER 2-0384-028 - E SCIENCES, INCORPORATED - \$12,888 (M-10)**  
**BURROWING OWL EVALUATION - WINGATE LANDFILL**

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

Task Order for study of Burrowing Owls removal at Wingate Landfill required by Environmental Protection Agency.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1687

**CONTRACT AWARD - STRAIGHTLINE ENGINEERING GROUP, LLC. – (M-11)**  
**\$80,620 - SAFE ROUTE TO SCHOOL - SOUTH MIAMI ROAD SIDEWALK -**  
**HARBORDALE ELEMENTARY**

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

Contract with Straightline Engineering Group, LLC., in the amount of \$80,620, for South Miami Road Sidewalk - Safe Route to School Project - Harbordale Elementary School - (Florida Department of Transportation Local Agency Program Agreement).

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1671

**AGREEMENTS - SE 15 STREET BOAT LAUNCH AND MARINE (M-12)**  
**COMPLEX - \$138,143 - UTILITY LINE UNDERGROUNDING –**  
**FLORIDA POWER AND LIGHT COMPANY**

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

Agreements, in substantially the form provided, with Florida Power and Light for conversion of overhead electric facilities to underground services as part of SE 15 Street Boat Launch and Marine Complex improvements project.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1499

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**REVOCABLE LICENSE - BROWARD COUNTY COURTHOUSE – (M-13)**  
**M.A.C. - CONSTRUCTION, INC. - TEMPORARY CLOSURES –**  
**SE 6 STREET AND SE 1 AVENUE**

**No budgetary impact.**

Revocable License with M.A.C. Construction, Inc. in substantially the form provided, for temporary closures of 1) sidewalk, on-street parking spaces and one westbound vehicular lane on north side of SE 6 Street between SE 3 Avenue and SE 1 Avenue and 2) sidewalk and northbound vehicular lane on east side of SE 1 Avenue from SE 6 Street to 300 feet north of SE 6 Street.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1743

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**DONATION TO BROWARD COUNTY CRIMESTOPPERS - \$10,000 (M-14)**  
**STATE LAW ENFORCEMENT TRUST FUND**

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

Donation of \$10,000 to Broward County Crimestoppers from State Law Enforcement Trust Fund.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1665

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**DISBURSEMENT OF FUNDS/JOINT INVESTIGATION/O.R. 11-44849 – (M-15)**  
**\$29,899.44 - LAW ENFORCEMENT TRUST FUND**

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

Equitable disbursement of \$29,899.44 with each of the eight participating law enforcement agencies to receive \$3,322.16 and Fort Lauderdale Police Department to receive \$6,644.32 due to additional assigned agent.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1624

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**GREATER FORT LAUDERDALE SISTER CITIES INTERNATIONAL, INC. (M-16)**  
**AGREEMENT - ANNUAL FUNDING ALLOCATION - \$19,000**

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

Agreement with Greater Fort Lauderdale Sister Cities International, Inc. - fiscal year

2012 funding allocation of \$19,000.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1554

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**NO OBJECTION TO PLAT NOTE AMENDMENT - LAKE LAUDERDALE RECREATION AREA PLAT - FIRE STATION 46 - MILLS POND PARK** (M-17)

**No budgetary impacts.**

Applicant: City of Fort Lauderdale  
Location: 1515 NW 19 Street  
Zoning: Park P  
Future Land Use: Community Facility CF

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1675

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**FUNDING ALLOCATION - FLAVORS OF FORT LAUDERDALE - \$60,000** (M-18)

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

Allocation of Beach Business Improvement District funding, in the amount of \$60,000 for Flavors of Fort Lauderdale promoted by Empire Force, Inc.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1697

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**FIREFIIGHTERS ANNUAL HOLIDAY TOY DRIVE** (M-19)

**No budgetary impact.**

A motion authorizing and approving Firefighters Annual Toy Drive in Fort Lauderdale.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1695

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**COMMUNITY BUS SERVICE FUNDING - \$75,465 - FORT LAUDERDALE HOUSING AUTHORITY** (M-20)

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

A motion authorizing contribution to Housing Authority, in the not-to-exceed amount of

\$75,465, in Broward County funds for fiscal year 2012 community bus services.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1618

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**SETTLEMENT - MARITIME PETROLEUM ASSOCIATES, LLC** (M-21)  
**d/b/a PETERSON FUEL DELIVERY**

Settlement of Maritime Petroleum Associates, LLC d/b/a Peterson Fuel Delivery vs. City - U.S. District Court, Southern District of Florida Case 10-62463-Civ-Zloch/Rosenbaum.

**Recommend:** Motion to approve and authorize City Attorney to execute all necessary documents.

**Exhibit:** Commission Agenda Report 11-1738

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

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**FISCAL YEAR 2011 BUDGET ADJUSTMENTS - BUILDING DIVISION** (M-22)

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

Adjustment to fiscal year 2011 budget to reflect revisions to General Fund for Building Division of Sustainable Development Department.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1800

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**SETTLEMENT OF WORKERS' COMPENSATION FILE WC-10-13990 –** (M-23)  
**\$66,000**

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

Settlement of Workers' Compensation File WC-10-13990 (Byron Roundtree) - \$66,000.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1677

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**PROCUREMENT OF PROPERTY INSURANCE PREMIUM QUOTES** (M-24)

**No budgetary impact.**

A motion authorizing the negotiation method to procure property insurance premium quotes as prescribed in Code of Ordinances, Section 2-199(3).

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-1767

**CONSENT RESOLUTION**

**DOCK PERMIT APPLICATION - PRIVATE USAGE OF PUBLIC PROPERTY – (CR-01)  
STEVEN MERSON - 621 CORDOVA ROAD**

**No budgetary impact.**

Applicant: Steven Merson  
Location: 621 Cordova Road

Dock permit application for construction, usage and maintenance of 48' X 6' angled finger pier on public property abutting waterway adjacent to Cordova Road and within extension of Applicant's property lines immediately east of residence.

**Recommend:** Staff supports Marine Advisory Board recommendation; adopt resolution.

**Exhibit:** Commission Agenda Report 11-1583

RESOLUTION NO. 11-322

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PERMITTING, PURSUANT TO SECTION 8-144 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, THE CONSTRUCTION, USE AND MAINTENANCE OF AN ANGLED FINGER PIER ON PUBLIC PROPERTY ABUTTING THE WATERWAY ADJACENT TO CORDOVA ROAD BY APPLICANT STEVEN MERSON; SAID FINGER PIER LOCATED EASTWARD OF THE SOUTHERLY PORITION OF APPLICANT'S RESIDENCE AT 621 CORDOVA ROAD, THE LEGAL DESCRIPTION OF SUCH RESIDENCE BEING MORE PARTICULARLY DESCRIBED BELOW; SETTING FORTH CERTAIN TERMS AND CONDITIONS; REQUIREMENT FOR RECORDING A CERTIFIED COPY OF THIS RESOUTION IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; REPEALING ANY RESOLUTION IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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**TOURIST DEVELOPMENT COUNCIL APPOINTMENT RECOMMENDATION (CR-02)**

**No budgetary impact.**

Recommendation to Broward County Board of County Commissioners to appoint Bobby B. DuBose, Vice-Mayor of the City of Fort Lauderdale, to Broward County Tourist Development Council.

**Recommend:** Adopt Resolution.

**Exhibit:** Commission Agenda Report 11-1764

RESOLUTION NO. 11-323

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RECOMMENDING THAT THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS APPOINT BOBBY B. DUBOSE, VICE-MAYOR OF THE CITY OF FORT LAUDERDALE, TO THE BROWARD COUNTY TOURIST DEVELOPMENT COUNCIL.

**AMEND OPERATING BUDGET - APPROPRIATION TO PROJECTS WITH DEFICIT BALANCES (CR-03)**

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

Amend fiscal year 2012 final operating budget by appropriating funds to various projects with deficit balances.

**Recommend:** Adopt Resolution

**Exhibit:** Commission Agenda Report 11-1617

RESOLUTION NO. 11-324

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012 BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AND PROVIDING FOR AN EFFECTIVE DATE.

**EASEMENT DEDICATION - SE 15TH STREET BOAT LAUNCH AND MARINA COMPLEX – UTILITY LINE UNDERGROUNDING – FLORIDA POWER AND LIGHT (CR-04)**

**No budgetary impact.**

Electrical and telecommunications public utility easement dedication for undergrounding of overhead utilities as part of SE 15 Street Boat Launch and Marina Complex Improvements.

**Recommend:** Adopt Resolution

**Exhibit:** Commission Agenda Report 11-1801

RESOLUTION NO. 11-325

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DEDICATING CERTAIN LANDS DESCRIBED BELOW, AS AN ELECTRICAL AND TELECOMMUNICATIONS PUBLIC UTILITY EASEMENT FOR THE CONVERSION OF OVERHEAD PUBLIC ELECTRICAL AND PUBLIC TELECOMMUNICATIONS FACILITIES TO UNDERGROUND ELECTRICAL AND TELECOMMUNICATIONS PUBLIC UTILITY FACILITIES WITH CERTAIN APPUTENANT ABOVE-GRADE FACILITIES INCIDENTAL THERETO; ACCEPTING SUCH DEDICATION; REPEALING ANY RESOLUTION IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

**BULLETPROOF VEST PARTNERSHIP GRANT ACCEPTANCE - \$4,903.21 (CR-05)**

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

Acceptance of fiscal year 2011 Bulletproof Vest Partnership Grant from U.S. Department of Justice, in the amount of \$4,903.21; amendment of 2012 final operating budget by appropriating the funds and authorization to execute all necessary documents to receive the funds.

**Recommend:** Adopt Resolution

**Exhibit:** Commission Agenda Report 11-1696

RESOLUTION NO. 11-326

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$4,903.21 FROM THE UNITED STATES DEPARTMENT OF JUSTICE FOR THE 2011 BULLETPROOF VEST PARTNERSHIP GRANT, EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING AND AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND

ENDING SEPTEMBER 30, 2012, UPON ADOPTION BY APPROPRIATING SUCH GRANT FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

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**BUFFER ZONE PROTECTION PROGRAM GRANT ACCEPTANCE – (CR-06)**  
**\$199,000**

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

Acceptance of fiscal year 2008 Buffer Zone Protection Program Grant from the Florida Department of Law Enforcement, in the amount of \$199,000; amendment of 2012 final operating budget by appropriating the funds and authorization to execute all necessary documents to receive the funds.

**Recommend:** Adopt Resolution

**Exhibit:** Commission Agenda Report 11-1700

RESOLUTION NO. 11-327

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$199,000 FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR THE 2008 BUFFER ZONE PROTECTION PROGRAM, EXECUTE ALL NECESSARY DOCUMENTS TO OBTAIN SUCH GRANT FUNDING AND AMEND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012, UPON ADOPTION BY APPROPRIATING SUCH GRANT FUNDS AS SET FORTH IN THE ATTACHED EXHIBIT.

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**FISCAL YEAR 2011 BUDGET AMENDMENT - FIRE RESCUE DEPARTMENT (CR-07)**

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

Amendment of fiscal year 2011 final operating budget - adjustments to Fire-Rescue Department.

**Recommend:** Adopt Resolution

**Exhibit:** Commission Agenda Report 11-1804

RESOLUTION NO. 11-328

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.

**CITY CHARTER AMENDMENT - MARCH 13, 2012 GENERAL ELECTION (CR-08)  
BALLOT – SALE OF CITY-OWNED PROPERTY - AFFORDABLE HOUSING OR  
ECONOMIC DEVELOPMENT**

Authorizing Broward County Supervisor of Elections to place proposed City Charter amendment on March 13, 2012 General Election ballot - amendment to provide for sale of surplus city-owned property for affordable housing or economic development purposes.

**Recommend:** Adopt Resolution

**Exhibit:** Commission Agenda Report 11-1810

RESOLUTION NO. 11-329\*

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING THE SUPERVISOR OF ELECTIONS TO PLACE A PROPOSED CHARTER AMENDMENT ON THE MARCH 13, 2012 GENERAL ELECTION BALLOT.

\*Resolution was amended. See discussion on page 22.

**PURCHASING AGENDA**

**616-10781 - CONSULTANT SERVICES - DISASTER, STORM OR (PUR-01)  
EMERGENCY RECOVERY CONTINUING CONTRACT**

**No budgetary impact.**

Consultants' Competitive Negotiation Act Selection Committee's recommendation of ranking firms for Continuing Contract - Consultant Services - Disaster, Storm or Emergency Recovery including Engineering, Architectural, Environmental Professional, Financial Recovery and other miscellaneous services and commencement of negotiations with highest ranked firm, Camp Dresser & McKee Inc.

**Recommend:** Motion to approve.

**Vendor:** Camp Dresser & McKee Inc.  
Cambridge, MA  
**Bids Solicited/Rec'd:** 916/5

**Exhibit:** Commission Agenda Report 11-1497

Procurement Services has reviewed this item and recommends the first ranked proposer and commencement of contract negotiations.

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**514-10815 - POLICE SURVEILLANCE VAN REPLACEMENT - \$139,999** (PUR-02)

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

Purchase police surveillance van replacement.

**Recommend:** Motion to approve.

**Vendor:** Specialty Vehicle Solutions LLC  
Trenton, NJ

**Amount:** \$139,999.00

**Bids Solicited/Rec'd:** 1024/4

**Exhibit:** Commission Agenda Report 11-1678

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

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**162-9503 - INCREASE EXPENDITURE - \$25,000** (PUR-03)  
**EMS BILLING AND PATIENT CARE REPORTING SYSTEM**

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

Increases expenditure for EMS Billing and Patient Care Reporting System.

**Recommend:** Motion to approve.

**Vendor:** Advanced Data Processing, Inc. A Delaware corporation  
authorized to transact business in the State of Florida  
d/b/a/ Intermedix

**Amount:** \$25,000.00

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 11-1668

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

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**STATE OF FLORIDA CONTRACT - MAINTENANCE, REPAIR AND OPERATING SUPPLIES****(PUR-04)**

The cost of individual purchases will be charged to the appropriate Departments's approved operating budget.

Purchase maintenance repair and operating supplies through February 28, 2014.

**Recommend:** Motion to approve.

**Vendor:** W.W. Grainger Inc.  
Lake Forest, IL

**Amount:** Per Unit Prices

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 11-1680

The Procurement Services Department has reviewed this item and recommends approval to purchase from the State of Florida contract.

**PROPRIETARY - PUBLIC SAFETY SYSTEMS BACK OFFICE INFRASTRUCTURE - \$166,701.64****(PUR-05)**

Please see funding information attached to these minutes.

Renewal of public safety systems annual maintenance contracts for back office infrastructure through September 30, 2012.

**Recommend:** Motion to approve.

**Vendor:** Motorola, Inc, Schaumburg, IL  
MorphTrak, Inc., Alexandria, VA

**Amount:** \$166,701.64

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 11-1686

Procurement Services recommends approving the renewal of the annual public safety maintenance contracts.

**PROPRIETARY - HEWLETT-PACKARD COMPUTER HARDWARE AND SOFTWARE - \$54,063.24 - COMMUNITY PLUS, PAYROLL, UTILITY BILLING AND VIRTUAL SERVERS****(PUR-06)**

Annual maintenance and support for Hewlett Packard hardware and software for Community Plus, Payroll, Utility Billing and virtual servers.

Please see funding information attached to these minutes.

**Recommend:** Motion to approve.

**Vendor:** Hewlett-Packard Company

Palo Alto, CA

**Amount:** \$54,063.24

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 11-1689

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

**512-10799 - PICNIC TABLES, TRASH CANS, PARK BENCHES AND GRILLS - \$210,107 (PUR-07)**

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

Purchase amenities for various parks including the beach, Snyder Park and Las Olas Boulevard.

**Recommend:** Motion to approve.

**Vendor:** Bliss Products & Services, Inc., Douglasville, GA;  
Petersen Mfg. Co., Denison, IA; Site and Park Amenities, Inc., Hillsdale, MI; Southern Park and Play Systems, Inc., Melbourne, FL.

**Amount:** \$210,107.00

**Bids Solicited/Rec'd:** 668/23

**Exhibit:** Commission Agenda Report 11-1750

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

**PROPRIETARY - CELLULAR ACCESS - MOBILE BUILDING INSPECTOR PROGRAM - \$21,000 (PUR-08)**

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

Purchase cellular access for mobile building inspector program

**Recommend:** Motion to approve.

**Vendor:** Sprint Solutions, Inc.

Overland Park, KS

**Amount:** \$21,000.00

**Bids Solicited/Rec'd:** N/A

**Exhibit:** Commission Agenda Report 11-1674

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

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**712-10809 - NOISE MONITORING TERMINAL MAINTENANCE –  
EXECUTIVE AIRPORT - \$15,850**

**(PUR-09)**

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

One-year contract with three, one-year renewal options to provide Noise Monitoring System service at Executive Airport and authorizing City Manager, or designee, to approve renewals, with all the same terms and conditions.

**Recommend:** Motion to approve.

**Vendor:** Bruel & Kjaer EMS Inc.  
f/k/a Bruel & Kjaer Environment Managment Solutions Inc.  
Sacramento, CA

**Amount:** \$15,850.00

**Bids Solicited/Rec'd:** 686/1

**Exhibit:** Commission Agenda Report 11-0819

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

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**125-10862 - CITY'S PRESCRIPTION BENEFIT MANAGER  
\$3,806,593 - ESTIMATED FIRST YEAR**

**(PUR-10)**

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

Three-year contract with one, one-year renewal option in the estimated amount of \$11,163,491 for City's Prescription Benefit Manager and authorizing City Manager, or designee, to approve renewal option, contingent upon approval and appropriation of funds.

**Recommend:** Motion to approve.

**Vendor:** Connecticut General Life Insurance Company (CIGNA)  
Bloomfield, CT

**Amount:** \$3,806,593 (First-year estimated amount)

**Bids Solicited/Rec'd:** 843/5

**Exhibit:** Commission Agenda Report 11-1790

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

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**SETTLEMENT - MARITIME PETROLEUM ASSOCIATES, LLC (M-21)**  
**d/b/a PETERSON FUEL DELIVERY**

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

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**CHANGE ORDER 2 (FINAL) - TOMASIOU ENTERPRISES, INC. - \$35,045.16 (M-09)**  
**EULA JOHNSON HOUSE RENOVATION**

This item was deferred until the correlating CRA (Community Redevelopment Agency) item 4 was addressed.

**Motion** made by Commissioner Roberts and seconded by Commissioner Rogers that Consent Agenda Items M-03, M-09, M-11, CR-03, CR-08, 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, Vice Mayor DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

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**AGREEMENT - 2012 LAUDERDALE AIR SHOW – (M-03)**  
**LAUDERDALE AIR SHOW, LLC**

Robert Walsh, 401 East Las Olas Boulevard, wanted certainty that the Motwanis have obtained the required \$1 million of insurance coverage. Mayor Seiler clarified that the insurance is not required until an agreement is in place. Dev Motwani, Lauderdale Air Show, LLC, confirmed that this is contemplated in the agreement and insurance coverage will be in place prior to the show.

Commissioner Rodstrom noted that the agreement provides that the site plan will be submitted within 120 days of the event. In response to her concern about that part of the site plan near the SLA (Sunrise Lane) where the fence is located, Bryan Lilley, B. Lilley, Inc., confirmed that there will be a gate by 9 Avenue that opens into the SLA area from the sandy part of the beach. In further response to Commissioner Rodstrom, the City Manager and Mayor Seiler did not believe that the Applicant had been asked to bring forward a business plan tonight, but the City Manager offered to check on this. The City Manager confirmed that this will be the final Commission vote before the event; staff will handle this matter going forward.

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

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**CONTRACT AWARD - STRAIGHTLINE ENGINEERING GROUP, LLC. – (M-11)**  
**\$80,620 - SAFE ROUTE TO SCHOOL - SOUTH MIAMI ROAD SIDEWALK -**  
**HARBORDALE ELEMENTARY**

Commissioner Rodstrom noted that this item may inure to her benefit and, therefore, she will abstain from voting. It is across the street from property she owns.

Commissioner Rogers explained that currently the swale area where part of the sidewalk will likely be placed is used for parking. The neighborhood is still in discussions with the school and staff and would like to continue to examine all of the options. Therefore, he requested a deferral. Albert Carbon, Public Works Director, confirmed that the neighborhood and the school accepted staff's plan for the sidewalk to be built on the east and west sides (of South Miami Road from SE 12 Street to SE 17 Street). It is not an official parking area, but parents park on the swale when they are picking up their children from school. The proposed project will still include a swale, and the sidewalk will be located behind it. There is an under-utilized parking lot with blocked access located on the east side of the school, and the principal's request to gain access for use is currently being reviewed by the school district. Mr. Carbon wanted to move forward with the project on the east side, and wait on the west side in that specific area. If the plans are changed to do that, it will be resubmitted. Given that staff will work to resolve the parking issue, Commissioner Rogers felt comfortable moving forward.

**Motion** made by Commissioner Rogers and seconded by Commissioner Roberts to approve the item as presented. Roll call showed: YEAS: Vice Mayor DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None. Commissioner Rodstrom abstained. A memorandum of voting conflict is attached to these minutes.

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**AMEND OPERATING BUDGET - APPROPRIATION TO PROJECTS (CR-03)**  
**WITH DEFICIT BALANCES**

Commissioner Rodstrom pointed out that these deficits were inherited by the new City Manager. The City Manager explained that mechanisms to prevent cost overruns on projects are being put in place. This item was generated by finance staff who determined that these outstanding balances need to be resolved.

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

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**CITY CHARTER AMENDMENT - MARCH 13, 2012 GENERAL ELECTION (CR-08)**  
**BALLOT – SALE OF CITY-OWNED PROPERTY - AFFORDABLE HOUSING OR**  
**ECONOMIC DEVELOPMENT**

Janet Riley, Broward County Legal Aid Service, noted that this item is related to agenda item O-04. She contended that the proposed Charter amendment would allow the City to sell surplus property without following the competitive bid process. This will give the Commission carte blanche because the amendment lacks details and a process. Affordable housing stock will be lost. She believed the City should promote affordable housing, though not at the expense of economic development. She thought the proposed ordinance will prevent these properties from being put to their best use which is primarily affordable housing.

At Mayor Seiler's request, the City Attorney clarified that this item is a resolution which directs the Supervisor of Elections to put the amendment on the ballot. The ordinance (O-04) will be addressed later in the meeting.. Commissioner Rogers pointed out that a unanimous vote is required. Commissioner Rodstrom wanted the ballot language to specify it is surplus city-owned real property.

**Motion** made by Commissioner Rodstrom and seconded by Commissioner Roberts to approve the item as amended to add surplus to the ballot question to read surplus city-owned real property Roll call showed: YEAS: Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

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**512-10799 - PICNIC TABLES, TRASH CANS, PARK BENCHES AND GRILLS - \$210,107 (PUR-07)**

Robert Walsh, 401 E. Las Olas Boulevard, expressed frustration about the cost of these items. He suggested the City look into Better Than Wood products for longevity. He thought the beach area trash cans look fine. Phil Thornburg, Parks and Recreation Director, advised that the life expectancy of the proposed equipment is at least ten years. In response to Commissioner Rodstrom, he was uncertain when the last time a similar purchase of picnic tables was made, but indicated that some have been sporadically purchased over the years for maintenance purposes. The current picnic tables are in poor condition, and there are too few. This is a budgeted item. Commissioner Rodstrom questioned whether any of these items will be placed in the CRA (Community Redevelopment Agency) section of the beach; and, if so, could CRA funding be used, rather than the general fund. Mr. Thornburg explained that inquiry was made, but there is no funding available in the Beach CRA (Community Redevelopment Agency) for this purpose. If CRA funding was available, all of the items for the Fort Lauderdale Beach Park would be included because it is located in the CRA.

In response to Mayor Seiler, Mr. Thornburg indicated that the picnic tables assembled by volunteers two years ago at Snyder Park are likely still holding up satisfactorily. Mr. Thornburg agreed to examine the option of volunteers doing the assembly for next purchase of all items that have a labor cost associated with assembly. In response to Commissioner Rogers, Mr. Thornburg advised that if possible the existing will be repaired and placed in other parks. In response to Commissioner Rodstrom, Kirk Buffington, Director of Procurement Services, offered to provide the delivery time tomorrow. Donald Morris, Beach Community Redevelopment Agency Director, elaborated upon why CRA funding is not available this fiscal year; but it could be included in next year's CRA budget. Mr. Thornburg pointed out that there is a shortage of all proposed items in Fort Lauderdale Beach Park and with the new parking lot opening, the idea was to finish the area. What is useable would be placed in other parks. Commissioner Rodstrom was concerned about the amount of unanticipated expenses coming forward. Although this was budgeted, it could have been offset by CRA funds. In the future, she wanted an improved accounting where there is knowledge of items prior to them coming forward to the Commission.

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

NAYS: None.

**RESOLUTIONS**

**DISPOSITION OF CITY OWNED SURPLUS PROPERTY - BID OF \$16,875 (R-01)  
1139 NE 3 AVENUE**

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

**Recommend:** Introduce resolution.

**Exhibit:** Commission Agenda Report 11-1535

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 11-317

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 8.04 OF THE CITY CHARTER, ACCEPTING THE OFFER OF SIXTEEN THOUSAND EIGHT HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$16,875.00) BY FORECLOSURE SPECIALISTS OF FLORIDA, INC., A FLORIDA CORPORATION, FOR THE PURCHASE OF SURPLUS PROPERTY, BEING MORE PARTICULARLY DESCRIBED BELOW, WITH THE APPROXIMATE STREET ADDRESS OF 1139 NE 3<sup>RD</sup> AVENUE, FORT LAUDERDALE, FLORIDA AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR PURCHASE AND SALE OF THE PROPERTY, A QUIT CLAIM DEED OF CONVEYANCE AND FURTHER AUTHORIZING EXECUTION AND DELIVERY OF ANY AND ALL INSTRUMENTS NECESSARY OR INCIDENTAL TO THE COMPLETION OF THE TRANSACTION.

Commissioner Rodstrom noted the problem of reduced property values as this parcel's value has dropped from over \$183,000 in 2009 to \$20,000.

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

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**DISPOSITION OF CITY OWNED SURPLUS PROPERTY - BID OF \$36,000 (R-02)  
1101 NE 6 AVENUE**

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

**Recommend:** Introduce resolution.

**Exhibit:** Commission Agenda Report 11-1748

Commissioner Rogers introduced the following resolution:

RESOLUTION NO. 11-318

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 8.04 OF THE CITY CHARTER, ACCEPTING THE OFFER OF THIRTY-SIX THOUSAND AND NO/100 DOLLARS (\$36,000.00) FROM PHILADELPHIA FUNDAMENTAL BAPTIST CHURCH, A FLORIDA NOT FOR PROFIT CORPORATION, FOR THE PURCHASE OF SURPLUS PROPERTY, BEING MORE PARTICULARLY DESCRIBED BELOW, WITH THE APPROXIMATE STREET ADDRESS OF 1101 NE 6<sup>TH</sup> AVENUE, FORT LAUDERDALE, FLORIDA AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR PURCHASE AND SALE OF THE PROPERTY, A QUIT CLAIM DEED OF CONVEYANCE AND FURTHER AUTHORIZING EXECUTION AND DELIVERY OF ANY AND ALL INSTRUMENTS NECESSARY OR INCIDENTAL TO THE COMPLETION OF THE TRANSACTION.

Commissioner Rodstrom pointed out that there is a significant number of Social Service Residential Facilities (SSRF) in this area. Jacques Altidor, pastor of the Philadelphia Fundamental Baptist Church, indicated that this parcel will be used for the church. The City Attorney clarified that the purchaser can utilize the property for anything permitted by the zoning. Commissioner Rodstrom noted that the current zoning is RMM-25 (Residential Multi-Family), and questioned whether rezoning is necessary for it to be used as part of the church. If this is the purchaser's intended use, Greg Brewton, Director of Planning and Zoning, indicated staff would reach out to the owner to rezone to CFH (Community Facility/House of Worship); but it is not a requirement,. The current RMM-25 zoning would allow the parcel to be used as an SSRF. Discussion ensued between Commissioner Rodstrom and Mr. Brewton regarding the purchaser's intended use for the parcel. Pastor Altidor explained that, if the City does not want the property used for a particular use, he will comply. Commissioner Rodstrom concluded that the pastor will consider impact on the neighborhood when deciding upon use of the property. Mr. Brewton noted that, if the property is sold, there could be a change. Pastor Altidor understood that he must first comply with the law. Mr. Brewton confirmed for Commissioner Rodstrom that CFH zoning allows for SSRF's. Commissioner Rodstrom reiterated her concern with adding SSRF's to the area. In further response, Pastor Altidor was agreeable to not utilizing this parcel for a SSRF.

Which resolution was read by title only. Roll called showed: YEAS: Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, Commissioner Roberts, and

Mayor Seiler. NAYS: None.

**BOARD AND COMMITTEE APPOINTMENTS**

**(R-03)**

**No budgetary impact.**

**Recommend:** Introduce resolution.

**Exhibit:** Commission Agenda Report 11-1581

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

Economic Development Advisory Board Daniel A. Seigel (Mayor Seiler)

Short Term Residential Use Committee Ron Mastriana (Mayor Seiler)

Commissioner Rodstrom introduced the following resolution:

RESOLUTION NO. 11-319

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

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

**PUBLIC HEARINGS**

**DOCK WAIVER APPLICATION - DISTANCE OF LIMITATIONS – 815 IDLEWYLD DRIVE - CHARLES E. MULLER, II, TRUSTEE**

**(PH-01)**

**No budgetary impact.**

**Applicant:** Charles E. Muller, II, Trustee of Land Trust No. 1  
**Location:** 815 Idlewyld Drive

**Recommend:** Staff supports Marine Advisory Board recommendation; introduce resolution.

**Exhibit:** Commission Agenda Report 11-1586

Mayor Seiler announced that he made a site visit concerning this matter.

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

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

Commissioner Rodstrom introduced the following resolution:

## RESOLUTION NO. 11-320

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING, SUBJECT TO TERMS AND CONDITIONS, A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.C. D. OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO CHARLES E. MULLER, II, AS TRUSTEE OF THE LAND TRUST NO. 1, DATED SEPTEMBER 13, 2010 ("APPLICANT"), FOR APPROVAL TO CONSTRUCT AND MAINTAIN AN L-SHAPED DOCK CONSISTING OF A 30' X 15' ACCESS PIER, A 70' X 8' PLATFORM, A 4-POST BOATLIFT AND ONE MOORING PILING FROM APPLICANTS' PROPERTY LINE INTO THE INTRACOASTAL WATERWAY (NEW RIVER SOUND), SUCH DISTANCE AND PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW; PROVIDING FOR EFFECTIVE DATE.

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

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**DOCK WAIVER APPLICATION - DISTANCE OF LIMITATIONS  
GARY AND SUZANNE GRECO - 417 IDLEWYLD DRIVE**

**(PH-02)**

**No budgetary impact.**

**Applicant:** Gary and Suzanne Greco

**Location:** 417 Idlewyld Drive

**Recommend:** Staff supports Marine Advisory Board recommendation; introduce resolution.

**Exhibit:** Commission Agenda Report 11-1587

Mayor Seiler announced that he made a site visit concerning this matter.

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

There being no other individuals wishing to speak on this matter, a **motion** was made by

Commissioner Rogers and seconded by Commissioner Roberts to close the public hearing. Roll call showed: YEAS: Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Commissioner Rogers introduced the following resolution:

RESOLUTION NO. 11-321

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING, SUBJECT TO TERMS AND CONDITIONS, A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.C. D. OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO GARY GRECO AND SUZANNE GRECO ("APPLICANTS"), FOR APPROVAL TO CONSTRUCT, MAINTAIN AND USE AN L-SHAPED DOCK CONSISTING OF A 50' X 8' ACCESS PIER, A 50' X 8' PLATFORM, A 4-POST BOATLIFT AND TWO MOORING PILINGS PROJECTING FROM APPLICANTS' PROPERTY AND THE PUBLIC RIGHT-OF-WAY OF IDLEWYLD DRIVE INTO THE INTRACOASTAL WATERWAY (NEW RIVER SOUND), SUCH DISTANCE(S) AND PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW; PROVIDING FOR EFFECTIVE DATE.

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

**ORDINANCES**

**VACATION OF 8.5 FOOT RIGHT OF WAY - 1531 SOUTH ANDREWS AVENUE - BROWARD HEALTH - CASE 6-P-11 (O-01)**

**No budgetary impact.**

**Applicant:** Broward Health  
**Location:** 1531 South Andrews Avenue

The Commission announced the disclosures were the same as those indicated on first reading.

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

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

**Exhibit:** Commission Agenda Report 11-1752

Commissioner Rogers introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-11-35

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT 8.5 FOOT RIGHT-OF-WAY LYING ALONG THE NORTH SIDE OF AND ADJACENT TO THE PLATTED RIGHT-OF-WAY LINE OF SOUTHWEST 16<sup>TH</sup> STREET, NOW VACATED, BETWEEN SOUTH ANDREWS AVENUE AND SOUTHWEST 1<sup>ST</sup> AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

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**PAY PLAN AND SPECIAL PAY PRACTICE AMENDMENTS (O-02)**  
**NEW SECTION TO CODE OF ORDINANCES**

**These actions will result in a net budget savings. Estimated savings for certain positions are described in the exhibit attached to these minutes.**

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

**Exhibit:** Commission Agenda Report 11-1747

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-11-38

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SCHEDULE I OF THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY CREATING AND ADDING NEW CLASSES, DELETING CLASSES, AND CHANGING THE TITLE OF ONE CLASS; AMENDING SPECIAL PAY PRACTICES OF SCHEDULES I AND II OF THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROVIDE FOR A SPECIAL HEALTH AND DENTAL BENEFIT FOR RETIREES UNDER THE 2011/2012 BONUS INCENTIVE FOR RETIREMENT PROGRAM; CREATING SECTION 20-83 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO DEFINE "ADMINISTRATIVE ASSISTANTS TO THE CITY MANAGER"; AMENDING SCHEDULE VI OF THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY CREATING AND ADDING NEW CLASSES AND PAY RANGES; AND

PROVIDING FOR SEVERABILITY, REPEAL  
OF CONFLICTING ORDINANCE PROVISIONS,  
AND AN EFFECTIVE DATE.

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

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**CODE AMENDMENT - CHAPTER 20 - PERSONNEL – (O-03)**  
**GENERAL EMPLOYEES RETIREMENT SYSTEM -**  
**BONUS INCENTIVE FOR RETIREMENT PROGRAM**

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

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

**Exhibit:** Commission Agenda Report 11-1757

The City Auditor noted that questions were posed regarding the actuarial impact of this program. The City's actuary and the GERS actuary both completed an analysis to determine the actuarial impact of this item. It was challenging to compare the two analyses because each used different assumptions; so, he completed an analysis which is only an estimate. At the fairly conservative estimate of only 25 percent participation and an 80 percent replacement rate for those vacancies, he thought this will afford the City a first-year savings of approximately \$400,000. It appears there will be a higher participation rate. The City Manager has indicated his intention to keep the replacement rate far lower than (80 percent). The other caveat is that new hires not be placed at the top of the pay range. Essentially, the payroll savings will more than offset the additional costs associated with amortizing the unfunded liability that will be created by awarding a past service benefit. The City will be amortizing that unfunded liability over a short period of time, five years. Once this five-year period has passed, the City will have an additional approximately \$2 million per year of net savings for the life of the plan. It appears to be a significant financial benefit to the City. He went on to point out that the City is following the GFOA (Government Finance Officers Association) recommendation about a five-year amortization period. He recalled a resident's concern that the actuary's statement in his plan that the assumptions are essentially the responsibility of management. This is simply a disclaimer of responsibility by the actuary for the assumptions because the assumptions are management's responsibility. It is standard language that appears in any actuarial report and should not be considered to be reflective of any questions held by the actuary. The City Manager clarified that the actuary's reference to management is the plan's management or the Board of Trustees of the General Employees Retirement System (GERS).

In response to Vice Mayor DuBose, the City Auditor clarified that the additional cost that the City will incur is actually \$1.8 million for a period of five years, and this will pay down the new \$30 million unfunded liability that is created by giving three years of service credit that was never funded in the past. This is the net increase in the current year payment over the savings that will be achieved. In further response, he explained that his assumptions are based on an 80 percent replacement rate, but the additional pension cost is separated from the replacement rate because the new employee replacements will be outside of the pension plan. It is the cost to adequately fund the

pension plan itself. The City Manager clarified that his internal goal is to replace only 50 percent. In response to Mayor Seiler, the City Auditor confirmed that his conservative estimate is a \$400,000 savings for the first through fifth year, and, in the sixth year, the savings become greater because the City will no longer be paying the additional cost into the pension plan for that unfunded liability. He pointed out that his analysis includes some caveats as it was completed at the eleventh hour. Now that an updated actuarial report from GERS' actuary is available, he has requested that the City Manager have the (City's) actuary to meet with the GERS actuary to develop a final analysis that includes both the Manager's and GERS' assumptions in one final document. In response to Vice Mayor DuBose, he explained that if some of these assumptions are incorrect, plans must be made to address any shortfalls. At this stage, there are two very different sets of assumptions. He had to use rough tools to arrive at this estimate, and would rather have that refined.

Vice Mayor DuBose was troubled by the fact that the noted savings must still be confirmed. The City Auditor agreed. As for the employees that are members of the Federation of Public Employees Union and the Teamsters Union, the City Manager explained that this has been bargained, the agreement was signed, and are now in the implementation process of that collective bargaining term. Also, staff has set up a series of windows; first, a window to elect to participate, and second, a window to retire. The goal was to allow those employees who wish to retire during this calendar year for tax purposes to do so.

In response to Mayor Seiler, the City Auditor explained that about three weeks to complete the analysis is needed because the City's actuary will be on vacation. He understood the challenges raised by the City Manager, but thought having the numbers nailed down is a key component of the decision making process. Vice Mayor DuBose questioned why this information was not presented by the second reading. The City Auditor believed that the GERS' actuary just finished and released their report on November 11. The City's actuary was using 2009 numbers. The GERS' actuary had more current numbers but was using a lower employee replacement rate and, therefore, his estimate was more aggressive. Also, it did not take into account the payroll savings. Vice Mayor DuBose and Mayor Seiler expressed uneasiness. Mayor Seiler favored deferral. He was concerned about the actuary's lack of concern and attention. In response to Vice Mayor DuBose, the City Auditor did not believe the actual work will take longer than a couple of days to complete because the model is already built. In response to Commissioner Roberts, his concern is that there may be a loss, he wanted all of the data.

**Motion** made by Vice Mayor DuBose and seconded by Commissioner Rogers to defer this item to December 6, 2011. Roll call showed: YEAS: Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Mayor Seiler asked that the Commission be notified if the actuary is not responsive. In response to the City Manager, the City Auditor indicated that, if the City's actuary is unavailable, he thought asking GERS to revise their turnover assumptions would be a secondary approach. The GERS model will not include the salary savings, but he thought a reasonable estimate for decision making purposes could be arrived at by imputing the salary savings number arrived at by the City's actuary and grafting it onto the revised projection of the GERS actuary. Given the City Manager's 50 percent

replacement goal, Commissioner Rogers thought a second analysis could be provided that includes a replacement assumption of perhaps 70 percent. The City Auditor explained that there may be a procedural impediment because the GERS actuary does not report to the City, and a request would likely have to be made to their board of trustees.

There was no objection to the City Manager's request to move forward with giving employees the opportunity to make their declaration, recognizing that it is contingent upon the ordinance being adopted on second reading.

ORDINANCE NO. C-11-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESPECTING THE CITY'S GENERAL EMPLOYEES' RETIREMENT SYSTEM BY AMENDING CITY OF FORT LAUDERDALE CODE SECTION 20-109, ENTITLED "RETIREMENT DATES, BY DELETING SUBSECTION (d) THEREOF, ENTITLED "EARLY WINDOW FOR NORMAL RETIREMENT; BONUS INCENTIVE" AND SUBSTITUTING THEREFOR A NEW SUBSECTION (d), ENTITLED "BONUS INCENTIVE FOR RETIREMENT PROGRAM"; BY CREATING DEFINED TERMS AND PROCEDURES AND CONDITIONS FOR RECEIVING A BONUS INCENTIVE. FOR A NORMAL RETIREMENT PENSION, AN EARLY RETIREMENT PENSION OR A SERVICE RETIREMENT PENSION FOR MEMBERS ESTABLISHING ELIGIBILITY AS OF THE ELIGIBILITY DATE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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**CITY CHARTER AMENDMENT - MARCH 13, 2012 GENERAL ELECTION BALLOT - SALE OF CITY-OWNED PROPERTY – AFFORDABLE HOUSING OR ECONOMIC DEVELOPMENT**

**(O-04)**

**No budgetary impact.**

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

**Exhibit:** Commission Agenda Report 11-1632

Mayor Seiler opened the floor for public comment.

Janet Riley, Broward County Legal Aid Service, thought this ordinance's indicates that the City does not have to consider the competitive bidding process or the requirement to obtain the parcel's minimum acceptable value when selling surplus property. She understood that there have been complications with the competitive bidding process. But, this and other processes are in place for a reason. It appears the proposed would allow for no process to be in place. Mayor Seiler clarified that it shall be subject to the terms and conditions as the Commission shall by resolution determine. So, there will be

a public hearing. The City Attorney noted that the word, surplus, would be added in Section 1 of the ordinance to read 'surplus city-owned property'. Also, the wording, approved by a unanimous vote, would be included in this section. This means it is a two-step process wherein the parcel must be declared surplus by a unanimous vote, and then the property can be sold. Mayor Seiler pointed out that there would be two public hearings. Ms. Riley pointed out that the ordinance also states that the surplus property can be sold for use for affordable housing or economic development. She contended that the Affordable Housing Advisory Committee has requested that the City Manager provide a list of these surplus properties, and has expressed desire that the properties be utilized for affordable housing to the extent that it is feasible. She urged the Commission to take this into account and further that process. Commissioner Rogers explained that the impetus for this charter amendment was that the City could not dispose of surplus property for affordable housing purposes whatsoever unless it was given to the CRA (Community Redevelopment Agency). The ballot question must be understandable to voters. Vice Mayor DuBose pointed out that some of these surplus parcels are not buildable; rather, they are adjacent to properties that may lend to opportunities for other uses. He thought this amendment has been vetted well in the process. He believed the ordinance is written to include enough flexibility to address those concerns.

**Motion** made by Commissioner Rogers and seconded by Commissioner Roberts to approve the item as amended by inserting the word, surplus into Section 1 to read surplus city-owned property and the phrase, approved by a unanimous vote so that it reads designation by resolution approved by a unanimous vote. Roll call showed: YEAS: Commissioner Rodstrom, Vice Mayor DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-11-36

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR THE SALE OF SURPLUS REAL PROPERTY FOR AFFORDABLE HOUSING OR ECONOMIC DEVELOPMENT PURPOSES; PROVIDING FOR APPROVAL BY THE ELECTORS; AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

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Note: The Commission convened as the Community Redevelopment Agency Board of Directors at 8:11 p.m. and returned to the regular meeting at 8:12 p.m. to address Item M-09.

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**CHANGE ORDER 2 (FINAL) - TOMASIOU ENTERPRISES, INC. - \$35,045.16 (M-09)**  
**EULA JOHNSON HOUSE RENOVATION**

**Motion** made by Commissioner Rodstrom and seconded by Commissioner Roberts to

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

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Note: There being no other matters to come before the City Commission, the meeting was adjourned at 8:13 p.m.

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John P. "Jack" Seiler  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk