

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
AUGUST 21, 2012

Agenda #	File #	Resolution/ Ordinance	Page No.
OB	12-1269	WALK-ON - Motion to Approve an Agreement with Rock the Ocean Festival Organization	22
OB	12-1290	WALK-ON - WALK-ON – A resolution authorizing the Fire-Rescue Department of the City of Fort Lauderdale to perform routine transfers.	30
PRES-1	12-1301	EXPRESSION OF APPRECIATION BY ANN MARIE FOX FOR ALL OF THE EFFORTS THAT MADE THE RICHARD MANCUSO GREENWAY POSSIBLE	1
PRES-2	12-1302	INTRODUCTION OF FIREFIGHTERS FROM MAR DEL PLATA, ARGENTINA BY GREATER FORT LAUDERDALE SISTER CITIES PRESIDENT AND SISTER CITIES COUNTRY CHAIR IN FURTHERANCE OF SISTER CITY RELATIONS	2
M-1	12-1268	EXTENSION OF 2009 URBAN AREA SECURITY INITIATIVE GRANT AGREEMENT TO JANUARY 30, 2013	2
M-2	12-1262	GRANT ACCEPTANCE - \$21,743 from Florida Department of Health via Broward County - Emergency Medical Services County Grant Program; approving contract and authorizing City Manager to execute on behalf of City - video laryngoscopes	2, 14
M-3	12-1264	FIFTH AMENDMENT TO URBAN AREA SECURITY INITIATIVE MEMORANDUM OF AGREEMENT - extension to November 30, 2012 and authorize the City Manager to execute on behalf of City	2
M-4	12-1214	SECOND ONE-YEAR EXTENSION AND AMENDMENT TO AGREEMENT - Partners In Action, Inc. d/b/a Kids Ecology Corp. for Nature Programming at Snyder Park effective September 15, 2012 and authorize City Manager to execute on behalf of City	3
M-5	12-1189	ONE-YEAR AGREEMENT WITH TWO, ONE-YEAR RENEWAL OPTIONS - Broward County R. C. Race Club, Inc. to operate remote control miniature racecars at Mills Pond Park effective October 1, 2012 and authorize City Manager to execute on behalf of City	3
M-6	12-1248	EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: 1) Young Professionals for Covenant House 20th Anniversary Party 2) Beach Bash 5K.	3
M-7	12-1278	ACCEPT DONATION OF BOMB SQUAD EQUIPMENT from Palm Beach Sheriff's Office - valued at \$18,000	3
M-8	12-1231	CHANGE ORDER 1 - Final with Intercounty Engineering Inc. - North Fork of the New River Pollution Control Structures - \$3,999.69 plus 17% engineering fees to close the project and authorize City Manager to execute on behalf of City.	3
M-9	12-1131	CONTRACT AWARD - Wrangler Construction Inc. for Shirley Small Park (a/k/a Melrose Park) Improvement - \$187,487 plus 14% for engineering and administration fees and authorize the City Manager to execute on behalf of City	3
M-10	12-1277	TASK ORDER 3 - CDM Smith Inc. in an amount not to exceed \$79,125 for Lohmeyer Wastewater Treatment Plant sludge feed wet well mixers and authorize City Manager to execute on behalf of City	3
M-11	12-1259	REIMBURSEMENT OF UP TO \$22,500 to Riverwalk Fort Lauderdale, Inc. d/b/a Riverwalk Trust - 2010 Business Capital Improvement Grant Program - design of wayfinding signage along Riverwalk	4
M-12	12-1163	TASK ORDER 1 to CIMA Engineering Corp. for Consultant Construction Management Services - Fire Station 35 - \$24,252.53 plus 2% engineering administration fees and authorize the City Manager to execute on behalf of the City	4
M-13	12-1258	CONTRACT AWARD with Wrangler Construction, Inc - Design and Install Decorative Street Signposts for Lauderdale Manors - \$40,890	4
M-14	12-1267	CHANGE ORDER 2 - Miller Pipeline, LLC f/k/a Miller Pipeline Corporation - Credit of \$3.00 and the addition of 45 non-compensable calendar days - Wastewater Conveyance System Long-term Remediation Program Sewer Basin A-12 and authorize City Manager to execute on behalf of City	4
M-15	12-1286	TASK ORDER 8 - URS Corporation Southern in the amount of \$24,985 - Seagrass Mitigation Assessment for Las Olas Marina Expansion Feasibility Study	4
M-16	12-1236	NO OBJECTION TO PLAT NOTE AMENDMENT - Comfort Suites Hotel 2201 N - 2201 North Federal Highway Applicant: Judy Antweiler/John L. Rickel Zoning: Boulevard Business (B-1) Land Use: Commercial Case 18-P-07A1	4

M-17	12-1240		NO OBJECTION TO PLAT NOTE AMENDMENT - Whiddon/Ergon/441 - 2100 South State Road 7 Applicant: Shoot Straight Fort Lauderdale Holding Company, LLC. Zoning: General Business (B-2) Case: 15-P-07A1	5
M-18	12-1122		ADDENDUM TO B-CYCLE REVOCABLE LICENSE AGREEMENT - B-Cycle, LLC to expand B-Cycle stations on city-owned property and authorize the City Manager to execute on behalf of City	5
M-19	12-1238		TASK ORDER 10 - Miller Legg & Associates, Inc. in the amount of \$79,115 for environmental sensitive area construction observation, tree relocation and site vegetative clearing observation on Parcels B, C and D of Airport Industrial Park and authorize City Manager to execute on behalf of City	5
CR-1	12-1190	12-138	RESCHEDULING SEPTEMBER 4, 2012 CITY COMMISSION MEETINGS TO SEPTEMBER 5, 2012	5
CR-2	12-1255	12-144	CONSOLIDATED BUDGET AMENDMENT TO FISCAL YEAR 2012 BUDGET - APPROPRIATION	5
CR-3	12-1291	12-145	ASSIGNMENT OF SUPPLEMENTAL DEFERRED COMPENSATION PLAN AND THE VANGUARD GROUP ACCOUNT FOR SUCH PLAN TO GEORGE L. HANBURY, II and authorize City Manager to execute all necessary documents on behalf of City	6, 15
CR-4	12-1280	12-146	APPOINTMENT OF COUNSEL - Squire Sanders LLP as Bond Counsel and Steve Bullock, P.A. as Disclosure Counsel for issuance of taxable special obligation bonds, Series 2012, in an amount not to exceed \$340 million - pension funding	6, 5, 16
CR-5	12-1237	12-147	DOCK PERMIT APPLICATION authorizing Rick J. Burgess use, maintenance and repair of existing marginal dock and seawall located on public property immediately adjacent to his address of 711 Cordova Road	7
CR-6	12-1199	12-148	QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM - recommending ECI Pharmaceuticals LLC as a program applicant and providing for local financial support in the amount of \$12,000 contingent upon approval by State of Florida	7
CR-7	12-1270	12-149	RICHARD MANCUSO GREENWAY - AMENDMENT TO RESOLUTION 12-105 - providing a more detailed description of greenway	8, 15
CR-8	12-1271	12-150	Amendment To The Broward County Trafficways Plan - SW 9th Avenue Applicant: St. Jerome Catholic Church & School	8
CR-9	12-1235	12-151	FIRST AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT - FXE Parcel 15, LLC - allowing for a new property description increasing the leased parcel size	9
PUR-1	12-1218		CONTRACT AWARD FOR WASTEWATER FLOW, RAINFALL MONITORING AND RELATED SERVICES in estimated annual amount of \$235,500 with ADS LLC	9
PUR-2	12-1220		PURCHASE SMART AUTOMOBILES TO BE USED AS PARKING ENFORCEMENT VEHICLES in the amount of \$69,235 from All Luxury Imports of Coconut Creek, Inc. d/b/a Mercedes-Benz of Coconut Creek	9
PUR-3	12-1117		PREPAYMENT OF \$5,307,443 - FIRE APPARATUS MASTER LEASE AGREEMENT with Capital One Public Funding, LLC	9
PUR-4	12-1223		PROPRIETARY PURCHASE TO REPAIR HIGH SERVICE PUMP AT FIVEASH WATER TREATMENT PLANT in the amount of \$68,464.94 from Tom Evans Environmental, Inc.	9
PUR-5	12-1243		PROPRIETARY PURCHASE FOR A ONE-YEAR MEMBERSHIP in the amount of \$33,473 with Water Research Foundation, Inc.	10
PUR-6	12-1272		PROPRIETARY AGREEMENT FOR HISTORIC PRESERVATION CONSULTING SERVICES in the amount of \$85,000 with Fort Lauderdale Society, Inc.	10
PUR-7	12-1224		PURCHASE AERATOR PIPE REPLACEMENT SERVICES AT FIVEASH WATER TREATMENT PLANT in the amount of \$144,231 from Underwater Engineering Services, Inc.	10
PUR-8	12-1222		PURCHASE COST ESTIMATING CONSULTING SERVICES FOR FIVEASH WATER TREATMENT PLANT CONSTRUCTION PROJECT in the amount of \$62,605 from Quantities, Inc.	10
PUR-9	12-1133		PROPRIETARY PURCHASE OF FLYGT BRAND REPLACEMENT PUMPS, PARTS AND SERVICE FOR UTILITY OPERATIONS from Xylem Water Solutions U.S.A., Inc. on an as-needed basis	10
PUR-10	12-1289		AWARD OF SUB-CONTRACTOR FOR FINANCIAL AUDIT SERVICES to Moore Stephens Lovelace, P.A.	10
PUR-11	12-1207		PROPRIETARY PURCHASE TO UPGRADE PROCUREMENT SOFTWARE SYSTEM - estimated amount of \$68,311 with Periscope Holdings, Inc.	10

PUR-12	12-1210	CONTRACT EXTENSION - MONTH-TO-MONTH, NOT TO EXCEED THREE MONTHS and a not-to-exceed amount of \$11,999.76 for State Legislative Lobbyist Services	11
PUR-13	12-1213	AMENDMENTS TO AGREEMENTS FOR PROFESSIONAL TRAFFIC AND TRANSPORTATION ENGINEERING CONSULTANT SERVICES with Kimley-Horn and Associates, Inc., Kittelson & Associates, Inc., Miller Legg & Associates, Inc. and T.Y. Lin International - provisions relating to insurance, definitions, compensation and reimbursables, construction changes	11
PUR-14	12-1191	FIVE-YEAR CONTRACT FOR INVESTMENT ADVISOR SERVICES - annual amount of \$90,000 with Bogdahn Consulting, LLC d/b/a The Bogdahn Group, LLC and authorize City Manager or designee to approve all renewal options contingent upon approval and appropriation of funds	11
PUR-15	12-1217	PURCHASE AND INSTALLATION OF MEDIAN LANDSCAPING SERVICES in the amount of \$256,941.91 from Orchidman Landscape Artisans Corp.	11
PUR-16	12-1205	TWO-YEAR CONTRACT FOR CONCRETE, STAMPED ASPHALT AND PAVING STONE REPAIR SERVICES - annual amount of \$83,140 with Straightline Engineering Group, LLC and authorize City Manager or designee to approve renewal options - ITB 223-11030	11
PUR-17	12-1196	ONE-YEAR CONTRACT FOR OVERHEAD DOOR MAINTENANCE SERVICES - estimated annual amount of \$95,175 with Above Garage Door of South Florida, Inc. and authorize City Manager or designee to approve all renewal options	11
PUR-18	12-1193	THREE-YEAR CONTRACT FOR DEPOSITORY AND MERCHANT CREDIT CARD SERVICES with TD Bank, National Association and J.P. Morgan Chase Bank d/b/a Paymentech, LLC and authorize City Manager or designee to approval all renewal options - RFP 725-10974	12
PUR-19	12-1111	TWO-YEAR CONTRACT FOR BULK TRASH COLLECTION SERVICES - estimated annual amount of \$274,100.95 with Choice Environmental Services of Broward, Inc. and authorize City Manager or designee to approve all renewal options - ITB 623-10995	12, 14
PUR-20	12-1216	PURCHASE BLEACHERS FOR HOLIDAY PARK GYMNASIUM in the amount of \$75,024.90 from Hussey Seating Company using State of Florida Contract	12, 14
PUR-21	12-1227	PURCHASE SANITARY SEWER INSPECTION SYSTEM in the amount of \$83,970 from Environmental Products of Florida Corporation - ITB 422-11045	12
PUR-22	12-1219	PURCHASE BEACH CLEANER SURF RAKES in the amount of \$145,236 from H. Barber & Sons, Inc. - ITB 422-11032	12
PUR-23	12-1281	AWARD OF UNDERWRITERS FOR SPECIAL OBLIGATION (PENSION FUND) FINANCING in the estimated amount of \$849,619 - top four ranked proposers: Citigroup Global Markets, Inc. as Senior Manager, and J.P. Morgan Securities LLC, Merrill Lynch, Pierce Fenner & Smith Incorporated and Morgan Stanley & Co. LLC, as three co-managers - RFP 725-11053	13,15, 20
PUR-24	12-1250	PURCHASE COMPUTER SOFTWARE AND HARDWARE TO UPGRADE PUBLIC WORKS AND CITY HALL DATA CENTERS in the amount of \$334,348.01 from Computer Systems Support, Inc., Dell Marketing Corporation and Software House International, using State of Florida and WSCA contracts	13
PUR-25	12-1247	PROPRIETARY PURCHASE OF MAINTENANCE AND REHABILITATION SERVICES FOR TEN SIGNAL CROSSINGS THROUGHOUT CITY in the amount of \$90,377.06 from Florida East Coast Railway, LLC and Flagler Development Group, a subsidiary of Florida East Coast Railway	13
PUR-26	12-1192	CONTRACT TERMINATION FOR CONVENIENCE WITH PRISM POWERWASH, INC. for enhanced maintenance and beautification services (215-10773) and powerwashing services (215-10772) for areas along Fort Lauderdale beach for the Beach Business Improvement District	13
PUR-27	12-1230	CONSULTANTS' COMPETITIVE NEGOTIATION ACT SELECTION COMMITTEE'S RECOMMENDATION OF RANKING FIRMS FOR CIVIL ENGINEERING CONSULTING SERVICES in accordance with RFQ 626-10881 and approve commencement of negotiations with top seven ranked firms: 1) The Carradino Group, Inc., 2) Calvin Giordano & Associates, Inc., 3) Miller Legg & Associates, Inc., 4) Craven Thompson & Associates, Inc., 5) Tetra Tech, Inc., 6) Atkins North America, Inc. and 7) Keith and Schnars, P.A.	13
PUR-28	12-1203	REJECT ALL BIDS FOR FULL SERVICE COPIER LEASE AND UTILIZE BROWARD COUNTY AND STATE OF FLORIDA CONTRACT FOR CITY'S OFFICE COPIER PLAN - estimated amount of \$379,563.72 - ITB 723-10998	14
MD-1	12-1310	CODE ENFORCEMENT LIEN SETTLEMENT in the amount of \$25,000 for Case CE08060529 at 785 Middle River Drive	22

MD-2	12-1311		CODE ENFORCEMENT LIEN SETTLEMENT in the amount of \$18,000 for Cases CE07041641 and CE03031877 at 646 NW 14 Terrace	22
CIT-1	12-1297		JOHN J. ZULLO - FINES, FEES AND PARKING TICKETS	14, 23
CIT-2	12-1298		ART SEITZ - NEED TO BUILD WORLD CLASS, ARCHITECTURALLY WOW AQUATIC CENTER BUILDING TO BETTER SERVE INDY CAR RACE, BOAT SHOW, WINTERFEST BOAT PARADE, RESIDENTS AND VISITORS TO BROWARD COUNTY AND INTERNATIONAL SWIMMING HALL OF FAME	14, 23
CIT-3	12-1300		L. THOMAS CHANCEY - TREE PRESERVATION - UPDATING URBAN FOREST IN FORT LAUDERDALE	23
CIT-4	12-1299		ROSE BECHARD-BUTMAN - COMMUNITY VOLUNTEERS AND EDUCATIONAL ACTIVITIES FOR ENCOURAGING CONSERVATION OF NATURAL RESOURCES TO YOUNG CHILDREN AND ADULTS	23
CIT-5	12-1309		FRANCOIS LECONTE OF MINORITY DEVELOPMENT & EMPOWERMENT, INC. - HOUSING OPPORTUNITIES FOR PERSONS WITH HIV/AIDS (HOPWA) REQUEST FOR APPLICATION SUBMISSION OF AUGUST 14, 2012.	24
R-1	12-1215	12-135	SALE OF CITY-OWNED PROPERTY, PURCHASE AND SALE CONTRACT AND DEED OF CONVEYANCE - \$33,333 - Accepting offer from Ashton Holdings and Development for property with approximate street address of 604 SW 12 Avenue and authorizing proper City Officials to execute all necessary documents subject to City Attorney review	24
R-2	12-1242	12-136	DISPOSITION OF CITY-OWNED PROPERTY - DECLARING AS SURPLUS AND NO LONGER NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING BIDDING PROCESS - minimum bid amount of \$1,000 - northeast corner of NW 13 Street and 4 Avenue	26
R-3	12-1241	12-139	CONVEYANCE OF EASEMENT FOR RIGHT OF WAY OR PUBLIC ROAD PURPOSES to Florida Department of Transportation for ingress and egress to River Oaks Preserve and authorizing execution and delivery of easement deed	27
R-4	12-1261	12-140	CONVENIENCE AND LIQUOR STORE MORATORIUM 90-DAY EXTENSION imposed by Ordinance C-11-17 - Northwest Progresso community redevelopment area	27
R-5	12-1225	12-141	VACATION OF AERIAL EASEMENT Applicant: Holman Automotive, Inc. Location: South of SE 14 Court, north of SE 15 Street, west of Federal Highway and east of SE 4 Avenue, Croissant Park Case: 5-R-12A	28
R-6	12-1202	12-142	APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS All vacancy information is provided under Conference item BD-2	29
PH-1	12-1288		SALE OF CITY-OWNED PROPERTY, PURCHASE AND SALE CONTRACT AND DEED OF CONVEYANCE - \$14,000 - Accepting offer from Housing Authority for two parcels located at northwest corner of NW 7 Street and 14 Avenue and 637 NW 10 Terrace for affordable housing and authorizing proper City Officials to execute all necessary documents	30
PH-2	12-1229	C-12-30	FIRST READING OF ORDINANCE REZONING TO Commerce Center (CC) from General Business (B-2) Applicant: Victoria's Corporate Plaza, LLC. Location: 6245 NW 9 Avenue Land Use: Employment Center Case: 4-Z-12	31
PH-3	12-1060	12-137	RESOLUTION AUTHORIZING DESIGNATION OF SITE SPECIFIC AREAS DESCRIBED AS NORTHWEST GARDENS II, III and IV AND DR. KENNEDY HOMES as Brownfield areas and adding them to the Job Accelerator Zone - Affordable Housing.	32
PH-4	12-0743		DISCONTINUATION OF COMMUNITY BUS ROUTES AND NON-RENEWAL OF INTERLOCAL AGREEMENT with Broward County for Community Bus Service - motion authorizing City Manager to notify Broward County of City's intent not to renew the Interlocal Agreement	32
O-1	12-1232	C-12-29	SECOND READING - CHARTER AMENDMENT - BALLOT LANGUAGE - NOVEMBER 6, 2012, GENERAL ELECTION - SALE OF SURPLUS CITY-OWNED PROPERTY FOR AFFORDABLE HOUSING OR ECONOMIC DEVELOPMENT PURPOSES - changing referendum date	37
O-2	12-1228	C-12-28	SECOND READING - CHARTER AMENDMENT - ARTICLES III AND VII GOVERNMENT OF CITY AND FORM OF GOVERNMENT AND ELECTIONS	38
O-3	12-1265	C-12-27	SECOND READING - CODE AMENDMENT - PROHIBITING SALE, DISPLAY, DELIVERY AND POSSESSION OF HERBAL INCENSE, SYNTHETIC MARIJUANA AND BATH SALTS - Chapter 16	39
O-4	12-1279	C-12-26	SECOND READING - ESTABLISHING REDEVELOPMENT ADVISORY BOARD FOR MIDDLE RIVER - SOUTH MIDDLE RIVER - SUNRISE BOULEVARD COMMUNITY REDEVELOPMENT AREA - purpose and duties, number of members, criteria and term	39

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

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
Vice Mayor Charlotte E. Rodstrom
Commissioner Romney Rogers
Commissioner Bobby B. DuBose
Mayor John P. "Jack" Seiler

Absent: None.

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

Invocation was offered by Pastor Dwayne Black, Second Presbyterian Church, followed by the recitation of the pledge led by Pastor Dwayne Black.

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 Rogers and seconded by Commissioner Roberts to approve the minutes of the June 19, 2012 and July 10, 2012 Conference and Regular Meetings. YEAS: Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, Vice Mayor Rodstrom, and Mayor Seiler. NAYS: None.

PRES-1 12-1301 EXPRESSION OF APPRECIATION BY ANN MARIE FOX FOR ALL OF THE EFFORTS THAT MADE THE RICHARD MANCUSO GREENWAY POSSIBLE

Commissioner Rogers introduced Ann Marie Fox who expressed gratitude to the Commission, City staff, and friends for their efforts to bring about the Richard Mancuso Greenway as a tribute to her deceased husband. She mentioned her family's foundation which raises funds to provide free prostate cancer screening.

PRES-2 12-1302 INTRODUCTION OF FIREFIGHTERS FROM MAR DEL PLATA, ARGENTINA BY GREATER FORT LAUDERDALE SISTER CITIES PRESIDENT AND SISTER CITIES COUNTRY CHAIR IN FURTHERANCE OF SISTER CITY RELATIONS

Fire Rescue Chief Jeff Justinak introduced firefighters from Mar Del Plata, Argentina, as well as Tony Marcelli, Chair of Cap-Haitien, Haiti, and Gabriel Zahora, Chair of Mar Del Plata, Argentina, Greater Fort Lauderdale Sister Cities (GFLSC). Chief Justinak provided a historic overview of the GFLSC organization. Mr. Marcelli thanked the Commission and Chief Justinak for receiving the Argentinian firefighters. Mr. Zahora remarked on the GFLSC's Public Safety Program which promotes a relationship between the City's police, fire-rescue, and lifeguards and public safety personnel in the sister cities. He thanked Chief Justinak; City staff; and the U.S. Ambassador to Argentina, Vilma Martinez. He presented the Commission with an expression of gratitude from the Volunteer Firefighters Federation of Buenos Aires for the City's support of the firefighters exchange and public safety programs.

CONSENT AGENDA

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.

M-1 12-1268 EXTENSION OF 2009 URBAN AREA SECURITY INITIATIVE GRANT AGREEMENT TO JANUARY 30, 2013

There is no fiscal impact associated with this action.

M-2 12-1262 GRANT ACCEPTANCE - \$21,743 from Florida Department of Health via Broward County - Emergency Medical Services County Grant Program; approving contract and authorizing City Manager to execute on behalf of City - video laryngoscopes

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

M-3 12-1264 FIFTH AMENDMENT TO URBAN AREA SECURITY INITIATIVE MEMORANDUM OF AGREEMENT - extension to November 30, 2012 and authorize the City Manager to execute on behalf of City

There is no fiscal impact associated with this action.

- M-4 12-1214 SECOND ONE-YEAR EXTENSION AND AMENDMENT TO AGREEMENT - Partners In Action, Inc. d/b/a Kids Ecology Corp. for Nature Programming at Snyder Park effective September 15, 2012 and authorize City Manager to execute on behalf of City

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M-17 12-1240 NO OBJECTION TO PLAT NOTE AMENDMENT - Whiddon/Ergon/441 - 2100 South State Road 7 - Applicant: Shoot Straight Fort Lauderdale Holding Company, LLC. Zoning: General Business (B-2) - Case: 15-P-07A1

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M-19 12-1238 TASK ORDER 10 - Miller Legg & Associates, Inc. in the amount of \$79,115 for environmental sensitive area construction observation, tree relocation and site vegetative clearing observation on Parcels B, C and D of Airport Industrial Park and authorize City Manager to execute on behalf of City

Please see funding information attached to these minutes.

CONSENT RESOLUTION

CR-1 12-1190 RESCHEDULING SEPTEMBER 4, 2012 CITY COMMISSION MEETINGS TO SEPTEMBER 5, 2012

There is no fiscal impact associated with this action.

RESOLUTION NO. 12-138

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCHEDULING THE SEPTEMBER 4, 2012, REGULAR AND CONFERENCE MEETINGS OF THE CITY COMMISSION TO SEPTEMBER 5, 2012

CR-2 12-1255 CONSOLIDATED BUDGET AMENDMENT TO FISCAL YEAR 2012 - BUDGET - APPROPRIATION

Please see funding information attached to these minutes.

RESOLUTION NO. 12-144

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 EXHIBITS 1 THROUGH 7, AND PROVIDING FOR AN EFFECTIVE DATE.

- CR-3 12-1291 ASSIGNMENT OF SUPPLEMENTAL DEFERRED COMPENSATION PLAN AND THE VANGUARD GROUP ACCOUNT FOR SUCH PLAN TO GEORGE L. HANBURY, II and authorize City Manager to execute all necessary documents on behalf of City**

There is no fiscal impact associated with this action.

RESOLUTION NO. 12-145

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ("CITY") AUTHORIZING ASSIGNMENT OF ALL OF THE CITY'S RIGHT, TITLE AND INTEREST IN AND TO A SUPPLEMENTAL DEFERRED COMPENSATION PLAN ("PLAN") AND THE VANGUARD GROUP ACCOUNT FOR SUCH PLAN TO GEORGE L. HANBURY, II AND DELEGATING TO CITY MANAGER LEE R. FELDMAN THE AUTHORITY TO EXECUTE SUCH ASSIGNMENT OF THE PLAN AND THE VANGUARD ACCOUNT TO GEROGUE L. HANBURY, II; FURTHER AUTHORIZING EXECUTION BY CITY MANAGER LEE R. FELDMAN OF ANY DOCUMENTS NECESSARY OR INCIDENTAL TO THE ASSIGNMENT OF THE PLAN AND THE VANGUARD ACCOUNT; PROVIDING FOR PRIOR REVIEW AND APPROVAL BY THE CITY ATTORNEY; REPEALING ANY AND ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

- CR-4 12-1280 APPOINTMENT OF COUNSEL - Squire Sanders LLP as Bond Counsel and Steve Bullock, P.A. as Disclosure Counsel for issuance of taxable special obligation bonds, Series 2012, in an amount not to exceed \$340 million - pension funding**

Please see funding information attached to these minutes.

RESOLUTION NO. 12-146

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE LAW FIRM OF SQUIRE SANDERS (US) LLP, TO ACT AS BOND COUNSEL AND STEVEN BULLOCK, P.A. TO ACT AS DISCLOSURE COUNSEL TO THE CITY OF FORT

LAUDERDALE, FLORIDA IN CONNECTION WITH THE
SPECIAL OBLIGATION BONDS, SERIES 2012, (PENSION
FUNDING PROJECT).

This Commission Agenda Memo (12-1280) was revised in accordance with Memorandum 12-0226. See announcement on page 15.

CR-5 12-1237 DOCK PERMIT APPLICATION authorizing Rick J. Burgess use, maintenance and repair of existing marginal dock and seawall located on public property immediately adjacent to his address of 711 Cordova Road

There is no fiscal impact associated with this action.

RESOLUTION NO. 12-147

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING, PURSUANT TO SECTION 8-144 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, THE USE, MAINTENANCE AND REPAIR, UNDER CERTAIN TERMS AND CONDITIONS, OF AN EXISTING MARGINAL DOCK AND SEAWALL ON PUBLIC PROPERTY, LOCATED ON CORDOVA ROAD ABUTTING THE WATERWAY ADJACENT TO PROPERTY OWNED BY RICK J. BURGESS AT 711 CORDOVA ROAD, THE LEGAL DESCRIPTION OF SUCH PROPERTY BEING MORE PARTICULARLY DESCRIBED BELOW; REPEALING ANY RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; ESTABLISHING AN EFFECTIVE DATE.

CR-6 12-1199 QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM - recommending ECI Pharmaceuticals LLC as a program applicant and providing for local financial support in the amount of \$12,000 contingent upon approval by State of Florida

Please see funding information attached to these minutes.

RESOLUTION NO. 12-148

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RECOMMENDING THAT ECI PHARMACEUTICALS LLC BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS APPLICANT PURSUANT TO SECTION 288.106, FLORIDA STATUTES, PROVIDING THAT FUNDS IN THE AMOUNT OF \$12,000 ARE AVAILABLE AS LOCAL FINANCIAL SUPPORT AS PROVIDED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

CR-7 12-1270 RICHARD MANCUSO GREENWAY - AMENDMENT TO RESOLUTION 12-105 - providing a more detailed description of greenway

There is no fiscal impact associated with this action.

RESOLUTION NO. 12-149*

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADDING THE NAME OF "RICHARD MANCUSO GREENWAY" TO A PORTION OF THE CITY'S PUBLIC RIGHT-OF-WAY ALONG THE SOUTHERN BANK OF THE HIMMARSHEE CANAL BETWEEN SE 8TH AVENUE AND SE 10TH TERRACE AND CITY'S PUBLIC RIGHT OF WAY ALONG THE NORTHERN BANK OF THE HIMMARSHEE CANAL FROM SE 8TH AVENUE TO THE INTERSECTION OF THE HIMMARSHEE CANAL AND SE 2ND COURT.

*Resolution was revised. See below and note announcement on page 15.

RESOLUTION NO. 12-149

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION 12-105 TO PROVIDE A MORE DETAILED DESCRIPTION OF THE RICHARD MANCUSO GREENWAY.

CR-8 12-1271 APPLICATION OF ST. JEROME CATHOLIC CHURCH AND SCHOOL FOR BROWARD COUNTY PLANNING COUNCIL TO REMOVE PORTION OF SW 9 AVENUE FROM BROWARD COUNTY TRAFFICWAYS PLAN - between SW 24 Street and SW 34 Street

There is no fiscal impact associated with this action.

RESOLUTION NO. 12-150

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE TRANSMITTAL OF AN APPLICATION TO THE BROWARD COUNTY PLANNING COUNCIL TO REMOVE A PORTION OF SW 9 AVENUE BETWEEN SW 24 STREET (SR 84) AND SW 34 STREET (PERIMETER ROAD) (SOUTH OF SR 84) FROM THE BROWARD COUNTY TRAFFICWAYS PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

CR-9 12-1235 FIRST AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT - FXE Parcel 15, LLC - allowing for a new property description increasing the leased parcel size

Please see funding information attached to these minutes.

RESOLUTION NO. 12-151

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE AMENDED AND RESTATED LEASE AGREEMENT FOR PARCEL 15 AT FORT LAUDERDALE EXECUTIVE AIRPORT.

PURCHASING AGENDA

PUR-1 12-1218 CONTRACT AWARD FOR WASTEWATER FLOW, RAINFALL MONITORING AND RELATED SERVICES in estimated annual amount of \$235,500 with ADS LLC

Please see funding information attached to these minutes.

PUR-2 12-1220 PURCHASE SMART AUTOMOBILES TO BE USED AS PARKING ENFORCEMENT VEHICLES in the amount of \$69,235 from All Luxury Imports of Coconut Creek, Inc. d/b/a Mercedes-Benz of Coconut Creek

Please see funding information attached to these minutes.

PUR-3 12-1117 PREPAYMENT OF \$5,307,443 - FIRE APPARATUS MASTER LEASE AGREEMENT with Capital One Public Funding, LLC

Please see funding information attached to these minutes.

PUR-4 12-1223 PROPRIETARY PURCHASE TO REPAIR HIGH SERVICE PUMP AT FIVEASH WATER TREATMENT PLANT in the amount of \$68,464.94 from Tom Evans Environmental, Inc.

Please see funding information attached to these minutes.

PUR-5 12-1243 PROPRIETARY PURCHASE FOR A ONE-YEAR MEMBERSHIP in the amount of \$33,473 with Water Research Foundation, Inc.

Please see funding information attached to these minutes.

PUR-6 12-1272 PROPRIETARY AGREEMENT FOR HISTORIC PRESERVATION CONSULTING SERVICES in the amount of \$85,000 with Fort Lauderdale Society, Inc.

Please see funding information attached to these minutes.

PUR-7 12-1224 PURCHASE AERATOR PIPE REPLACEMENT SERVICES AT FIVEASH WATER TREATMENT PLANT in the amount of \$144,231 from Underwater Engineering Services, Inc.

Please see funding information attached to these minutes.

PUR-8 12-1222 PURCHASE COST ESTIMATING CONSULTING SERVICES FOR FIVEASH WATER TREATMENT PLANT CONSTRUCTION PROJECT in the amount of \$62,605 from Quantities, Inc.

Please see funding information attached to these minutes.

PUR-9 12-1133 PROPRIETARY PURCHASE OF FLYGT BRAND REPLACEMENT PUMPS, PARTS AND SERVICE FOR UTILITY OPERATIONS from Xylem Water Solutions U.S.A., Inc. on an as-needed basis

The Lease Amendment results in additional positive fiscal impact to the city in the amount of \$14,888.46 per year beginning July 1, 2013.

PUR-10 12-1289 AWARD OF SUB-CONTRACTOR FOR FINANCIAL AUDIT SERVICES to Moore Stephens Lovelace, P.A.

Please see funding information attached to these minutes.

PUR-11 12-1207 PROPRIETARY PURCHASE TO UPGRADE PROCUREMENT SOFTWARE SYSTEM - estimated amount of \$68,311 with Periscope Holdings, Inc.

Please see funding information attached to these minutes.

PUR-12 12-1210 CONTRACT EXTENSION - MONTH-TO-MONTH, NOT TO EXCEED THREE MONTHS and a not-to-exceed amount of \$11,999.76 for State Legislative Lobbyist Services

Please see funding information attached to these minutes.

PUR-13 12-1213 AMENDMENTS TO AGREEMENTS FOR PROFESSIONAL TRAFFIC AND TRANSPORTATION ENGINEERING CONSULTANT SERVICES with Kimley-Horn and Associates, Inc., Kittelson & Associates, Inc., Miller Legg & Associates, Inc. and T.Y. Lin International - provisions relating to insurance, definitions, compensation and reimbursables, construction changes

Please see funding information attached to these minutes.

PUR-14 12-1191 FIVE-YEAR CONTRACT FOR INVESTMENT ADVISOR SERVICES - annual amount of \$90,000 with Bogdahn Consulting, LLC d/b/a The Bogdahn Group, LLC and authorize City Manager or designee to approve all renewal options contingent upon approval and appropriation of funds

Please see funding information attached to these minutes.

PUR-15 12-1217 PURCHASE AND INSTALLATION OF MEDIAN LANDSCAPING SERVICES in the amount of \$256,941.91 from Orchidman Landscape Artisans Corp.

Please see funding information attached to these minutes.

PUR-16 12-1205 TWO-YEAR CONTRACT FOR CONCRETE, STAMPED ASPHALT AND PAVING STONE REPAIR SERVICES - annual amount of \$83,140 with Straightline Engineering Group, LLC and authorize City Manager or designee to approve renewal options - ITB 223-11030

Please see funding information attached to these minutes.

PUR-17 12-1196 ONE-YEAR CONTRACT FOR OVERHEAD DOOR MAINTENANCE SERVICES - estimated annual amount of \$95,175 with Above Garage Door of South Florida, Inc. and authorize City Manager or designee to approve all renewal options

Please see funding information attached to these minutes.

PUR-18 12-1193 **THREE-YEAR CONTRACT FOR DEPOSITORY AND MERCHANT CREDIT CARD SERVICES** with TD Bank, National Association and J.P. Morgan Chase Bank d/b/a Paymentech, LLC and authorize City Manager or designee to approval all renewal options - RFP 725-10974

Please see funding information attached to these minutes.

PUR-19 12-1111 **TWO-YEAR CONTRACT FOR BULK TRASH COLLECTION SERVICES** - estimated annual amount of \$274,100.95 with Choice Environmental Services of Broward, Inc. and authorize City Manager or designee to approve all renewal options - ITB 623-10995

Please see funding information attached to these minutes.

This Commission Agenda Memo (12-1111) was revised in accordance with Memorandum 12-0226. See announcement on page 14.

PUR-20 12-1216 **PURCHASE BLEACHERS FOR HOLIDAY PARK GYMNASIUM** in the amount of \$75,024.90 from Hussey Seating Company using State of Florida Contract

Please see funding information attached to these minutes.

This Commission Agenda Memo (12-1216) was revised. See announcement on page 15.

PUR-21 12-1227 **PURCHASE SANITARY SEWER INSPECTION SYSTEM** in the amount of \$83,970 from Environmental Products of Florida Corporation - ITB 422-11045

Please see funding information attached to these minutes.

PUR-22 12-1219 **PURCHASE BEACH CLEANER SURF RAKES** in the amount of \$145,236 from H. Barber & Sons, Inc. - ITB 422-11032

Please see funding information attached to these minutes.

PUR-23 12-1281 AWARD OF UNDERWRITERS FOR SPECIAL OBLIGATION (PENSION FUND) FINANCING in the estimated amount of \$849,619 - top four ranked proposers: Citigroup Global Markets, Inc. as Senior Manager, and J.P. Morgan Securities LLC, Merrill Lynch, Pierce Fenner & Smith Incorporated and Morgan Stanley & Co. LLC, as three co-managers - RFP 725-11053

Please see funding information attached to these minutes.

This Commission Agenda Memo (12-1281) was revised in accordance with Memorandum 12-0226. See announcement on page 15.

PUR-24 12-1250 PURCHASE COMPUTER SOFTWARE AND HARDWARE TO UPGRADE PUBLIC WORKS AND CITY HALL DATA CENTERS in the amount of \$334,348.01 from Computer Systems Support, Inc., Dell Marketing Corporation and Software House International, using State of Florida and WSCA contracts

Please see funding information attached to these minutes.

PUR-25 12-1247 PROPRIETARY PURCHASE OF MAINTENANCE AND REHABILITATION SERVICES FOR TEN SIGNAL CROSSINGS THROUGHOUT CITY in the amount of \$90,377.06 from Florida East Coast Railway, LLC and Flagler Development Group, a subsidiary of Florida East Coast Railway

Please see funding information attached to these minutes.

PUR-26 12-1192 CONTRACT TERMINATION FOR CONVENIENCE WITH PRISM POWERWASH, INC. for enhanced maintenance and beautification services (215-10773) and powerwashing services (215-10772) for areas along Fort Lauderdale beach for the Beach Business Improvement District

Please see funding information attached to these minutes.

PUR-27 12-1230 CONSULTANTS' COMPETITIVE NEGOTIATION ACT SELECTION COMMITTEE'S RECOMMENDATION OF RANKING FIRMS FOR CIVIL ENGINEERING CONSULTING SERVICES in accordance with RFQ 626-10881 and approve commencement of negotiations with top seven ranked firms: 1) The Carradino Group, Inc., 2) Calvin Giordano & Associates, Inc., 3) Miller Legg & Associates, Inc., 4) Craven Thompson & Associates, Inc., 5) Tetra Tech, Inc., 6) Atkins North America, Inc. and 7) Keith and Schnars, P.A.

There is no fiscal impact associated with this action.

PUR-28 12-1203 REJECT ALL BIDS FOR FULL SERVICE COPIER LEASE AND UTILIZE BROWARD COUNTY AND STATE OF FLORIDA CONTRACT FOR CITY'S OFFICE COPIER PLAN - estimated amount of \$379,563.72 - ITB 723-10998

Please see funding information attached to these minutes.

M-2 12-1262 GRANT ACCEPTANCE - \$21,743 from Florida Department of Health via Broward County - Emergency Medical Services County Grant Program; approving contract and authorizing City Manager to execute on behalf of City - video laryngoscopes

Mayor Seiler announced that this item was removed from the agenda at the request of the City Manager.

CIT-1 12-1297 JOHN J. ZULLO - FINES, FEES AND PARKING TICKETS

Mayor Seiler announced that this item was withdrawn.

CIT-2 12-1298 ART SEITZ - NEED TO BUILD WORLD CLASS, ARCHITECTURALLY WOW AQUATIC CENTER BUILDING TO BETTER SERVE INDY CAR RACE, BOAT SHOW, WINTERFEST BOAT PARADE, RESIDENTS AND VISITORS TO BROWARD COUNTY AND INTERNATIONAL SWIMMING HALL OF FAME

Mayor Seiler announced that this item was withdrawn.

PUR-19 12-1111 TWO-YEAR CONTRACT FOR BULK TRASH COLLECTION SERVICES - estimated annual amount of \$274,100.95 with Choice Environmental Services of Broward, Inc. and authorize City Manager or designee to approve all renewal options - ITB 623-10995

Mayor Seiler announced that this item was revised to reflect that the approval is subject to appropriation in the 2013 budget, as shown in Memorandum 12-0226.

PUR-20 12-1216 PURCHASE BLEACHERS FOR HOLIDAY PARK GYMNASIUM in the amount of \$75,024.90 from Hussey Seating Company using State of Florida Contract

Mayor Seiler announced that the funding for this item was changed from a direct purchase to a transfer and purchase.

PUR-23 12-1281 AWARD OF UNDERWRITERS FOR SPECIAL OBLIGATION (PENSION FUND) FINANCING in the estimated amount of \$849,619 - top four ranked proposers: Citigroup Global Markets, Inc. as Senior Manager, and J.P. Morgan Securities LLC, Merrill Lynch, Pierce Fenner & Smith Incorporated and Morgan Stanley & Co. LLC, as three co-managers - RFP 725-11053

Mayor Seiler announced that this item was revised to reflect that the approval is subject to appropriation of bond proceeds, as shown in Memorandum 12-0226.

CR-4 12-1280 APPOINTMENT OF COUNSEL - Squire Sanders LLP as Bond Counsel and Steve Bullock, P.A. as Disclosure Counsel for issuance of taxable special obligation bonds, Series 2012, in an amount not to exceed \$340 million - pension funding

Mayor Seiler announced that this item was revised to reflect that the approval is subject to issuance of the special obligation bonds, as shown in Memorandum 12-0226.

CR-7 12-1270 RICHARD MANCUSO GREENWAY - AMENDMENT TO RESOLUTION 12-105 - providing a more detailed description of greenway

Mayor Seiler announced that this resolution was revised to make reference to the original resolution (Resolution 12-105).

Motion made by Commissioner Roberts and seconded by Vice Mayor Rodstrom that Consent Agenda Items CR-03, CR-04, PUR-15, and PUR-23 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 DuBose, Commissioner Rogers, Commissioner Roberts, Vice Mayor Rodstrom, and Mayor Seiler. NAYS: None.

CR-3 12-1291 ASSIGNMENT OF SUPPLEMENTAL DEFERRED COMPENSATION PLAN AND THE VANGUARD GROUP ACCOUNT FOR SUCH PLAN TO GEORGE L. HANBURY, II and authorize City Manager to execute all necessary documents on behalf of City

In response to Mayor Seiler, the City Manager explained that this supplemental deferred compensation plan (plan) represents the former City Manager's, George L. Hanbury, II, first year of pension. The plan was assigned to the City, and the recommendation is to release these funds to Mr. Hanbury per his request.

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

CR-4 12-1280 APPOINTMENT OF COUNSEL - Squire Sanders LLP as Bond Counsel and Steve Bullock, P.A. as Disclosure Counsel for issuance of taxable special obligation bonds, Series 2012, in an amount not to exceed \$340 million - pension funding

This item was removed from the consent agenda by Vice Mayor Rodstrom, as well as by members of the public.

Peter Mavrick, 4515 NE 21 Lane, questioned the proposed strategy to borrow funds with respect to a pension obligation. Mayor Seiler noted the extensive attention to this matter by both the City and outside financial experts. The City Manager clarified that, contrary to information provided in a local newspaper article, the City is not borrowing funds solely to reinvest those funds. Rather, the City has a \$400 million unfunded liability; and part of the City's yearly annual retirement contribution is, either, a 7.5 percent interest payment or 7.75 percent interest payment on this amount, depending upon whether it is the General Employees' Retirement System (GERS) or the Police and Fire Retirement System (PFRS). Each plan has a slightly different interest rate which is the actuarial rate of return. The proposed borrowing will discharge 75 percent of the unfunded liability and reduce the City's interest payment from 7.75 percent to between 3.75 percent and 4.1 percent or the market rate at time of borrowing. This reduced interest rate will provide the City with an annual savings of \$4.3 million that will be ongoing through the life of the bonds. This is similar to refinancing a home mortgage at a lower interest rate.

In response to Mr. Mavrick, Mayor Seiler explained that the current Commission did not create the need to borrow funds in order to meet these pension obligations; rather this Commission has instituted pension reform. Pensions were eliminated for new general employees about five years ago, and pension benefits were reduced for new police and fire-rescue (public safety) hires. Pension reform has started, although more is needed. The proposed strategy is just the opposite of what occurred in Stockton, California, where funds were borrowed in order to pay for an increase to pension benefits.

Mr. Mavrick questioned providing a pension whatsoever for public safety employees, given the amount of their pay. He contended that the actual yearly pay for public safety employees ranges from \$100,000 to \$150,000 when pension benefits are factored in. Rather than promising pensions, he thought it is better to pay a higher salary so each employee can assume total responsibility for his or her retirement. He thought there should be pension reform for existing employees. Mayor Seiler pointed out that there are negotiated labor contracts in place. Further, the City's public safety employees' pay is not the highest in Broward County, rather it ranks in the middle. If the City were to attempt to not pay any pension benefits, it would not pass muster with the State. The City has the second lowest property tax rate of the twenty-five largest cities in Florida and reserves in excess of \$50 million. Therefore, rather than declaring financial urgency and imposing a contract, the City must utilize collective bargaining in good faith. Furthermore, the City's public safety employees could be offered more pay up front; but, that would pose a risk of Fort Lauderdale becoming a training ground for other cities. He wanted to maintain the City's high caliber of public safety employees, and the current level of responsiveness and professionalism in these departments. Mr. Mavrick thought conscientious public servants would prefer to be paid upfront, rather than for the City to take the proposed measures to meet the pension obligation. He was concerned about risks associated with borrowing. He did not want the City to violate contracts, but rather to renegotiate going forward. Mayor Seiler emphasized that the City has been renegotiating going forward. Employees are making greater contributions to their pensions. Mr. Mavrick believed that the results of the

renegotiations are inadequate; employees should take full responsibility for their retirement. He felt police and fire employees would accept the salary offer of \$150,000 and they take responsibility for their pensions. He believed the average rate of compensation for such employees in the City is about \$150,000. In response to Mayor Seiler, Police Chief Frank Adderley advised that the starting salary for a police officer is \$50,000. Mr. Mavrick reiterated that the aggregate pension and health benefits, over a 20-year term, give that salary an actual value of \$150,000. Mayor Seiler pointed out that Fort Lauderdale is the largest city in Broward County and likely the busiest, yet the salary for public safety employees only ranks in the middle. Mr. Mavrick reiterated his suggestion. Mayor Seiler advised that this has been done with general employees. If the City were to eliminate pension benefits for public safety employees, it would be the only city in Broward County to do so

Vice Mayor Rodstrom clarified that Mr. Mavrick is questioning why the City is paying debt with debt. She further inquired as to whether there is proof that the City has made money on its pension plan in the last five years. Mr. Mavrick believed Mayor Seiler and his district commissioner have acted in good faith; however, the current system is antiquated and not in the public's best interest. Mayor Seiler noted that the City's public safety employees will not agree to a 401(a) that is offered to new hire general employees. Imposing a 401(a) would result in a drastic loss of public safety employees. Imposing a 401(a) on the City's public safety employees would only work if all cities in Broward County did the same. He reiterated that the retirement benefits for the City's public safety employees are moderate, and not rich, in comparison to other Broward County cities. This is a problem which is why the City is still working on pension reform. He indicated that providing the higher salary upfront to public safety employees would be a greater amount of funds than pension contributions; and those funds would be lost if an employee chooses to resign after two years for example. Mr. Mavrick believed if it is as Mayor Seiler is suggesting, the City would not be in a position of having to borrow. It is irresponsible that the City has to borrow funds in order to cover this obligation.

The City Manager clarified that the City does not have to borrow funds in order to meet its pension obligation. Mayor Seiler stressed that the City is actuarially sound. He believed it is fiscally responsible to evaluate the proposed strategy, being that it could achieve a savings. The obligation is payable over X number of years. In further response to Mr. Mavrick, he explained that the pensions are not fully funded by the City because employees are also contributing. The City could fund these pension funds with future revenues, but it would be at 7.5 percent. Mr. Mavrick reasoned that the City would not have to pay that interest rate if it funded the pension obligation itself. Although employees are also contributing, he suggested the City fund its part one-hundred percent, so that it does not have to borrow. As to the reason for an unfunded accrued actuarial liability (UAAL), the City Auditor advised that the City had an overfunded pension plan about ten years ago. But, since then, benefits and assumptions were changed and experience was less than had been projected for a portion of that time. All of these factors created the unfunded liability which is for past services that have already been rendered. This debt is being amortized like a mortgage over a set number of years. The amortized debt is included each year in the City's payment for the pension plans. There are two cost components: the normal cost and the amortization cost; these costs combined are referred to as the annual required contribution. Each year, the City makes its annual required contribution in accordance with the law. The City is fully funding annual mandatory contributions. The City's plan is about 70 percent funded, not much lower than 85 percent which was the average for public sector before the market crash and considered to be a well-funded plan. Although the City's unfunded liability is larger than desired, there is no crisis in funding. The question is how the City can best liquidate this debt; is it a better option to pay the assumed rate of return over 30 years on the pension plan which is between 7.5 percent and 7.75 percent, or liquidate the debt by borrowing

funds at 3.84 percent. As for whether pension plans are beneficial philosophically, he clarified that about 30 percent of medium to large private sector companies still offer pensions. There are, both, good and bad pension plans as well as good and bad ways of funding. However, the proposed item is simply a financial issue and not a policy philosophical issue. Mr. Mavrick agreed, but thought the financial and philosophical components are connected and separating them could be problematic.

Mayor Seiler reiterated that the general employees' pension plan has been closed. He noted that the City must follow State law as relating to a defined benefit plan. Further dialogue between Mayor Seiler and Mr. Mavrick continued concerning the unfunded liability. Mayor Seiler noted that this Commission did not inherit a fully funded pension. Mr. Mavrick encouraged the Commission to address the unfunded liability head-on by changing the public safety employees' compensation structure. He believed it is unsustainable. The City Auditor added that there are three components that fund the plan: City contribution, employee contribution and investment returns. Ignoring any short-term volatility, over the lifetime of the plan, the investment earnings provide 60 percent of the total benefit that will ultimately be paid. So, it is actually the market, and not the City, that is providing the bulk of the funding. In response to Mr. Mavrick, he confirmed that the City guarantees the benefit. Mayor Seiler advised that State law requires it. Mr. Mavrick felt the City should negotiate with police and firefighters going forward, not for existing promises. Mayor Seiler reiterated that the City is reducing benefits. The City Manager confirmed that, when a City has a defined benefit plan which accepts State premium dollars, it must offer minimum defined benefits as part of the pension plan. So, the City cannot go below what was in place on January 1, 1999. Nonetheless, Mr. Mavrick believed that a solution could be reached. Mayor Seiler reiterated that the City has decreased benefits in every round of negotiations, while trying to avoid a mass exodus of public safety employees; reducing the City's pension obligations will not happen overnight. He emphasized that the Commission's primary objective is to provide for this community's safety and security. Mr. Mavrick agreed. He elaborated upon a mandate in Florida Law, Chapters 175 and 185 related to pension plans that the Commission unsuccessfully attempted to change last year. He noted that the obligation is there. It is a matter of what interest rate is paid on it. The issue started ten years ago and is the result of, both, the market and the benefits that were promised. He explained to Mr. Mavrick that he can listen to the labor negotiations after they occur, but State law prohibits outsiders from attending.

John E. Rodstrom, Jr., Broward County Mayor, indicated that he is speaking as a private citizen. He believed that borrowing funds to meet the City's \$399 million pension obligation is comparable to taking out a mortgage on one's home in order to invest in the stock market. He pointed out that Broward County borrowed funds in order to build a courthouse; however, the proposed is to borrow funds with the only return being the cash. This will cost the City \$135 million in interest over the life of the loan and \$1.8 million in fees. He elaborated upon the volatility of the stock market and pointed out that pension bonds were not being considered several years ago when the market was down. He thought the market may provide about 20 percent of growth, but it is getting close to the top; and is not going to be the place to invest. It is disingenuous to purport a \$95 million savings to the City when the interest rate is not fixed. The rate of return will vary each month. He thought the \$95 million savings is like refinancing a home today from five percent for a variable rate of two percent, and calculating the savings over the 30 years of the loan. He thought this is a bad idea.

In response to Vice Mayor Rodstrom, Mayor Seiler clarified that this item was revised to be subject to approval of the special obligation bond issue. The City Manager explained that certain professionals are needed in order to reach the point of having the bond resolution; the

preliminary official statement; and the rating agency presentations made. Payment for these services will be derived from the bonds. If the bonds are not approved, these professionals will not be compensated. It is not possible to approve the bonds without knowing who will be the underwriters.

Motion made by Commissioner Rogers and seconded by Commissioner Roberts to approve the item as amended to be subject to issuance of the special obligation bonds, as shown in Memorandum 12-0226.

Commissioner DuBose opposed this as the companion item. Since this matter was first presented, he has believed it involves risk that will be placed upon future generations; it is not 100 percent guaranteed. He stressed that this could possibly create more debt for the City and it exceeds his risk tolerance.

Commissioner Rogers clarified that this item is to appoint bond counsel. He thought there are misperceptions related to this matter. Although his risk tolerance is not high, the risk for doing nothing is that the City will continue to pay this obligation at the current rates of 7.5 percent and 7.75 percent each year, rather than a reduction to four percent. As for Mayor John Rodstrom's analogy, the difference is that the City essentially has a mortgage. He thought it is prudent for the City to refinance, so to speak, because interest rates are at record lows. Although it is risky to put these funds into the stock market, there is already a risk as the GERS and PFRS plans are currently in the market. However, over the past 21 years, the PFRS plan has earned 8.4 percent, despite September 11th and the 2008 stock market crash. In the history of the stock market, there has never been two bad consecutive 10-year periods. Everyone is in trouble if it is not possible to earn more than 4 percent in the stock market in the next ten years. Both pension plans have historically earned more than 4 percent over the long-term. He stressed the importance of focusing on the facts. This is not an easy decision, but he opposed doing nothing.

Commissioner Roberts agreed with Commissioner Rogers. He indicated that the City Auditor has verified a 7.15 percent return over the past 21 years; and the PFRS plan has shown returns in all but two or three of the last 10 years. Losses in 2008 were almost half of the normal rate of loss across the country. He views this in the long-term, and is confident that the desired returns will be obtained. A seven percent return is ideal, but, if the return exceeds four percent, the City will not lose money. He thought some points raised by Mr. Mavrick can be utilized in future negotiations, but at this time the City has this obligation which must be paid.

Vice Mayor Rodstrom agreed with Commissioner DuBose. This is a risk of the taxpayers' dollars. She has not seen the City's money managers' performance for the last five years. This is a unique situation for the national economy because major debt is being incurred. She would feel more comfortable if shown proof that the City has been getting an eight percent rate of return for the last five years; however, she presumed that the return is under three percent and the proposed funds will be borrowed at 4.10 percent. She cannot tolerate this level of risk.

Mayor Seiler explained that the City has accrued debt over the last ten years. The City can continue to pay this debt at 7.5 percent and 7.75 percent interest rates, and leave the funds in the stock market, and run the same risk. This would leave the City paying a higher interest rate, and completely at the whim of the stock market. He noted that the City's financial advisors support the proposed strategy. The City Auditor has opined on this as well. He pointed out that the local newspaper invited the City to the editorial board after printing an article that cast a negative light on the proposed strategy; and, then produced an editorial in support. It is the same stock market, regardless of whether the interest rate is at four percent or 7.5 percent. He

views this as a refinance of an existing obligation. This is a step in the overall pension process; the City has executed pension reform over the last four years and will continue over the next four years. The expense component of the obligation must be addressed as well as the funding. It is necessary to reduce the City's pension obligations and reduce pension benefits for, both, general and public safety employees.

Roll call showed: YEAS: Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: Commissioner DuBose and Vice Mayor Rodstrom.

PUR-15 12-1217 PURCHASE AND INSTALLATION OF MEDIAN LANDSCAPING SERVICES in the amount of \$256,941.91 from Orchidman Landscape Artisans Corp.

In response to Mayor Seiler, the City Manager noted the scope of the project. He explained that this was a funded project in the City's 2012 fiscal year budget. Commissioner Rogers wanted more information; the backup only refers to this item's prior funding approval on January 17, 2012, but does not include a breakdown of the proposed improvements. Mayor Seiler suggested this item be deferred to allow time for further review.

Motion made by Commissioner Rogers and seconded by Mayor Seiler to defer the item to September 5, 2012. Roll call showed: YEAS: Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, Vice Mayor Rodstrom, and Mayor Seiler. NAYS: None.

PUR-23 12-1281 AWARD OF UNDERWRITERS FOR SPECIAL OBLIGATION (PENSION FUND) FINANCING in the estimated amount of \$849,619 - top four ranked proposers: Citigroup Global Markets, Inc. as Senior Manager, and J.P. Morgan Securities LLC, Merrill Lynch, Pierce Fenner & Smith Incorporated and Morgan Stanley & Co. LLC, as three co-managers - RFP 725-11053

This item was removed from the consent agenda by Vice Mayor Rodstrom, as well as members of the public.

Charles King, 105 North Victoria Park Road, opposed the proposed. He thought these are unfunded promises that should remain as such, instead of incurring debt to support pension plans that are not sustainable. He elaborated upon what he believed could be used as negotiating tools with the City's public safety employees.

Vice Mayor Rodstrom pointed out that the investments made by the City's money managers earned 4.28 percent in 2002, and 1.59 percent in 2007. She questioned how any losses in the first couple of years would be made up. The proposed strategy will cost the City about \$136 million in interest and fees. She noted the Commission's lack of control over the pension board's consensus building on investment decisions because of the board's membership structure. As an alternative, she suggested the City amortize the funds it currently has and save toward paying what is owed. The City Manager explained that the future liability of the plan is amortized over the period that the benefit was funded; it was originally 30 years with over 20 years remaining for each plan. The interest rates of 7.5 and 7.75 percent, depending upon the plan; are the rates for the City's annual retirement contribution which were determined by the actuary. In other words the City is amortizing and following a pay-as-you-go approach. Vice

Mayor Rodstrom thought this trend could be continued. The City Manager explained that this could be done; but, it would be necessary to identify the funds in the budget in order to make that payment, and this budget is predicated on a general fund savings of \$4.3 million. If the Commission does not approve the pension obligation bonds, staff will need to identify, either, a reduction in expenditures or increases in revenue that net \$4.3 million.

Vice Mayor Rodstrom asked whether the only reason for the proposed pension obligation bond strategy is to meet a \$4.3 million budget deficit. The City Manager explained that his recommendation for pension obligation bonds is to provide a means of lowering the City's annual retirement contribution. Vice Mayor Rodstrom maintained that the only way the City will consistently lower the annual retirement contribution using this methodology is if the City can obtain earnings from the investment; any losses will have to be made up by the taxpayers, as well as the annual shortfall. The City Manager advised that a five-year smoothing would be utilized, so, any loss or gain in excess of the assumed rate of return is absorbed over a five-year period. Ultimately, the City is obligated to make the plan actuarially sound each year which depends upon a number of factors, including market return, benefits provided, contributions, and state premiums received. There is the normal cost and the cost of paying the unfunded liability. Vice Mayor Rodstrom maintained that, if the City continues the current pay-as-you-go approach, and added \$5 million each year until 2040 or the life of the proposed bond issuance, the City would not have to pay \$136 million in fees and interest to money managers who have not made over 4.28 percent in the last ten years. The City Manager recalled that the Commission's directive for, both, last year and this year, was to deliver a budget with no tax and fee increases, no layoffs, no reduction in services and no use of reserves. Vice Mayor Rodstrom thought the City Manager, upon his arrival, should have brought forward a recommendation such as a millage rate increase or salary cut in order to make up for the budget shortfall which would have prevented the Commission from having to make a policy decision that places taxpayers' money at risk. The City Manager pointed out that a fire assessment fee increase was recommended this year, but not approved. Vice Mayor Rodstrom felt the City Manager should have specifically set out a cause and effect explanation. Instead the Commission was left to drive the train. Mayor Seiler felt the City Manager was very clear about the fire assessment fee increase recommendation. Commissioner Roberts recalled that he was the only Commission member to vote in favor of the fire assessment fee increase, and wanted flexibility with the millage rate. Vice Mayor Rodstrom emphasized that the City could find an additional \$5 million and continue with the current approach. The proposal expects a return of 7.75 percent, although the City has not earned more than 4.28 percent in the last ten years. These are unprecedented financial times. The country is going into debt and the City will now also be going into debt. She believed that this is a bad idea.

Motion made by Commissioner Roberts and seconded by Commissioner Rogers to approve the item as amended to provide that approval is subject to the appropriation of the bond proceeds, as shown in Memorandum 12-0226.

Commissioner DuBose opposed this item which correlates with item CR-04. The City has been meeting the pension obligation, although not 100 percent. He stressed the possibility that this approach could result in the City being worse off.

Roll call showed: YEAS: Commissioner Rogers, Commissioner Roberts, and Mayor Seiler.
NAYS: Commissioner DuBose and Vice Mayor Rodstrom.

OB 12-1269 WALK-ON - Motion to Approve an Agreement with Rock the Ocean Festival Organization

Please see funding information attached to these minutes.

Terry Rynard, Parks and Recreation Deputy Director, highlighted points in City Commission Agenda Memo 12-1269. She explained that this event will be held at Fort Lauderdale Beach Park which is the same area where the Super Bowl concert was held. The event promoter is Show Management, Inc. which also works on the Fort Lauderdale International Boat Show. No streets will be closed unless deemed necessary by the Police Department. A shuttle similar to what was done for the Super Bowl will be utilized. Vice Mayor Rodstrom noted that this event will be a similar format as the Super Bowl concert which was acceptable to the community.

Motion made by Vice Mayor Rodstrom and seconded by Commissioner DuBose to approve an agreement with Rock the Ocean Festival Organization for a two-day music event, April 5-6, 2013, on Fort Lauderdale Beach, and authorize the City Manager to execute on behalf of the City. Roll call showed: YEAS: Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, Vice Mayor Rodstrom, and Mayor Seiler. NAYS: None.

MOTIONS

MD-1 12-1310 CODE ENFORCEMENT LIEN SETTLEMENT in the amount of \$25,000 for Case CE08060529 at 785 Middle River Drive

Please see funding information attached to these minutes.

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

MD-2 12-1311 CODE ENFORCEMENT LIEN SETTLEMENT in the amount of \$18,000 for Cases CE07041641 and CE03031877 at 646 NW 14 Terrace

Please see funding information attached to these minutes.

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

CITIZEN PRESENTATIONS

CIT-1 12-1297 JOHN J. ZULLO - FINES, FEES AND PARKING TICKETS

This item was withdrawn.

CIT-2 12-1298 ART SEITZ - NEED TO BUILD WORLD CLASS, ARCHITECTURALLY WOW AQUATIC CENTER BUILDING TO BETTER SERVE INDY CAR RACE, BOAT SHOW, WINTERFEST BOAT PARADE, RESIDENTS AND VISITORS TO BROWARD COUNTY AND INTERNATIONAL SWIMMING HALL OF FAME

This item was withdrawn.

CIT-3 12-1300 L. THOMAS CHANCEY - TREE PRESERVATION - UPDATING URBAN FOREST IN FORT LAUDERDALE

Mr. Chancey noted his credentials as a landscape architect, consulting arborist, and tree preservationist since the early 1970's. He presented slides concerning tree preservation in the city. A copy of the slides is attached to these minutes. In response to Commissioner Rogers, he discussed the black olive trees on Las Olas Boulevard. He wanted to work with City staff on tree preservation in order to prevent another issue like the removal of Mahogany trees at Fort Lauderdale High School. In further response, he affirmed that, if the purpose is to start over, there is a better tree for a median than a Black Olive tree. The desire is to stop the practice of limbing and opening trees up in the wrong position which could be a liability risk. He noted an upcoming Utility Advisory Committee meeting that will focus on developing solutions for what can be done with the City's trees, given the development that is taking place. The key is to address the matter in advance; the solutions do not have to cost more money.

CIT-4 12-1299 ROSE BECHARD-BUTMAN - COMMUNITY VOLUNTEERS AND EDUCATIONAL ACTIVITIES FOR ENCOURAGING CONSERVATION OF NATURAL RESOURCES TO YOUNG CHILDREN AND ADULTS

Ms. Bechard-Butman noted her credentials as the Civic Improvement and Community Education Chair of the Fort Lauderdale Garden Club. She presented slides about the Fort Lauderdale Garden Club (FLGC). A copy of the slides is attached to these minutes. In response to Ms. Bechard-Butman's comments on the Mahogany tree issue at Fort Lauderdale High School (FLHS), Mayor Seiler advised that it was legal for the contractors working on the school site to obtain a permit from Broward County only and not the City. He has since addressed this matter with the School Board as the trees that were removed were beautiful, healthy and provided a canopy for the sidewalk. Ms. Bechard-Butman agreed. In addition to a permit requirement, she thought an effort should be made to incorporate large trees into a construction design before they are removed; and this could have been done at FLHS. She elaborated upon the measures taken to save one of the Mahogany trees at FLHS. Regardless of whether a

large tree is located on County or City property, justification for its removal should be required; and the FLGC's membership includes experts who can help make these decisions.

CIT-5 12-1309 FRANCOIS LECONTE OF MINORITY DEVELOPMENT & EMPOWERMENT, INC. - HOUSING OPPORTUNITIES FOR PERSONS WITH HIV/AIDS (HOPWA) REQUEST FOR APPLICATION SUBMISSION OF AUGUST 14, 2012.

Mr. Leconte noted his credentials as CEO of Minority Development & Empowerment, Inc. (MDE), an organization that has provided social services to Haitian and Caribbean immigrants in South Florida for the past 16 years; as well as HOPWA (Housing Opportunities for People with Aids) services for the past four years. Their proposal submittal was late by two minutes due to a vehicle malfunction and consequently has not been allowed to participate in the process. MDE values the HOPWA program as a significant number of their clients are Haitian, and MDE is the only agency that provides this service to the Haitian population in Broward County.

Mayor Seiler referred to a letter submitted by Mr. Leconte, dated August 19, 2012, requesting leniency for this 2-minute late submission of a grant proposal for HOPWA services. A copy of the letter is attached to these minutes. He further noted that the Purchasing Department's Vendor's Receipt that reflects a receipt time of 2:02 p.m. with a 2 p.m. deadline. A copy of the receipt is also attached to these minutes. Being that the deadline was missed by only two minutes due to a vehicle malfunction, he felt inclined to accept this late submission.

Motion made by Commissioner Rogers and seconded by Commissioner Roberts to accept the late grant proposal submission of Minority Development & Empowerment, Inc. Roll call showed: YEAS: Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, Vice Mayor Rodstrom, and Mayor Seiler. NAYS: None.

RESOLUTIONS

R-1 12-1215 SALE OF CITY-OWNED PROPERTY, PURCHASE AND SALE CONTRACT AND DEED OF CONVEYANCE - \$33,333 - Accepting offer from Ashton Holdings and Development for property with approximate street address of 604 SW 12 Avenue and authorizing proper City Officials to execute all necessary documents subject to City Attorney review

Please see funding information attached to these minutes.

The Commission announced the disclosures were the same as those indicated on prior considerations, with one additional communication announced by Mayor Seiler.

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-135

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-THREE THOUSAND THREE HUNDRED THIRTY-THREE AND NO/100 DOLLARS (\$33,333.00) FROM ASHTON HOLDINGS AND DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOR THE PURCHASE OF SURPLUS PROPERTY, BEING MORE PARTICULARLY DESCRIBED BELOW, WITH THE APPROXIMATE STREET ADDRESS OF 604 SW 12TH AVENUE, FORT LAUDERDALE, FLORIDA; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR SALE AND PURCHASE OF THE PROPERTY; AUTHORIZING EXECUTION AND DELIVERY OF A DEED OF CONVEYANCE TO THE PROPERTY; AND FURTHER AUTHORIZING THE EXECUTION OF ANY AND ALL INSTRUMENTS REASONABLY NECESSARY OR INCIDENTAL TO CONSUMMATION OF THE TRANSFER OF TITLE TO THE PROPERTY; REPEALING ANY AND ALL RESOLUTION IN CONFLICT HEREWITH; PROVIDING FOR REVIEW BY THE CITY ATTORNEY PRIOR TO EXECUTION OF DOCUMENTS RELATIVE HERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mayor Seiler opened the floor for public comment.

Julian Siegel, Ashton Holdings and Development (Riverside Market), referred to the City Attorney's Memorandum 12-0210. Based on Subparagraph h, he requested a period of three years at an interest rate determined by the Commission to pay for the property.

In response to Mayor Seiler, the City Attorney explained that the bid did not contemplate financing. Mayor Seiler thought financing must be requested in the proposal. The City Manager articulated that, though staff is aware of the financing provision, a financing option for this proposal was not staff's intent; if it were, it would have been reflected in the RFP. Furthermore, he thought this item should be re-bid if a different set of parameters is to be considered by the Commission, as a financing option may have attracted other bidders. Mr. Siegel withdrew his request.

There was no one else wishing to speak.

R-2 12-1242 DISPOSITION OF CITY-OWNED PROPERTY - DECLARING AS SURPLUS AND NO LONGER NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING BIDDING PROCESS - minimum bid amount of \$1,000 - northeast corner of NW 13 Street and 4 Avenue

There is no fiscal impact associated with this action.

The City Auditor asked how the value for this property was determined as it is much lower than the Broward County Property Appraiser's (property appraiser) assessed value. Staff explained to him that this price was based on their subjective determination of the parcel's value. He believed this is a policy decision for the Commission. Mayor Seiler understood that this parcel is of no value to the City. The City Manager explained that this is an unbuildable lot, a corner property with accumulated trash. The only interested party would be the property owner to the north whom staff contacted and the owner indicated that he would only purchase the parcel for a nominal price. Therefore, staff believed a \$1,000 price was fair as this sale will relieve the City of the associated maintenance. Commissioner Rogers asked if procedure for determining the value has changed. He wanted to sell this parcel; but being that, historically, the City's surplus properties have been appraised by staff, he questioned whether policy was changed such that the property values are now only based on the property appraiser's assessment. The City Manager advised that staff has found the property appraiser's assessment to be a good reference point for a nominal parcel like this. He noted that the City does not have to sell this property. Commissioner Rogers wanted to be certain that there is consistency. Likely, two policies are needed; one for buildable parcels, and one for unbuildable. Mayor Seiler amplified on the need for flexibility with parcels that have no value per se. For example, the property sold in item R-01 had value for parking. The City Manager explained that the latest policy direction which was related to the parcel in item R-01 was for staff to use the property appraiser's assessed value as a minimum value; but, for this item, staff did not adhere to that policy for the previously stated reasons. Commissioner Rogers questioned whether such policy is set forth in writing. The City Auditor assumed that the property appraiser takes into consideration whether a parcel is buildable when a value is ascribed. The City Manager explained that this is problematic because, historically, property appraisers value municipal property differently than non-governmentally owned property as it does not generate any taxes. He affirmed that the assigned value for this parcel, albeit subjective, reflects the parameters that staff is operating within.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-136

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING, PURSUANT TO CITY CHARTER SECTION 8.04, THAT THE VACANT PARCEL LOCATED APPROXIMATELY AT THE NORTHEAST CORNER OF NW 13TH STREET AND 1ST AVENUE, MORE PARTICULARLY DESCRIBED BELOW NOT NEEDED FOR PUBLIC USE AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE CITY THAT SUCH PARCEL BE OFFERED FOR SALE FOR MINIMUM BIDS AS SET FORTH BELOW, WITH BIDS TO BE SUBMITTED BY SEPTEMBER 12, 2012 AND SCHEDULED FOR FURTHER PROCEEDINGS BEFORE THE CITY COMMISSION ON OCTOBER 2, 2012 TO CONSIDER A RESOLUTION ACCEPTING THE BEST OFFER FOR SAID

PARCEL AND AUTHORIZING CONVEYANCE OF SAID PARCEL 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; PROVIDING FOR REVIEW BY THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

R-3 12-1241 CONVEYANCE OF EASEMENT FOR RIGHT OF WAY OR PUBLIC ROAD PURPOSES to Florida Department of Transportation for ingress and egress to River Oaks Preserve and authorizing execution and delivery of easement deed

There is no fiscal impact associated with this action.

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-139

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION AND DELIVERY TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AN EASEMENT FOR RIGHT OF WAY OR PUBLIC ROAD PURPOSES AND UTILITIES, A COPY OF SUCH EASEMENT DEED BEING ATTACHED HERETO; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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

R-4 12-1261 CONVENIENCE AND LIQUOR STORE MORATORIUM 90-DAY EXTENSION imposed by Ordinance C-11-17 - Northwest Progresso community redevelopment area

There is no fiscal impact associated with this action.

Commissioner DuBose introduced the following resolution:

RESOLUTION NO. 12-140

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF

FORT LAUDERDALE, FLORIDA, EXTENDING THE TERM OF ORDINANCE NO. C-11-17 FOR AN ADDITIONAL 90 DAYS FROM AUGUST 23, 2012.

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

R-5 12-1225 VACATION OF AERIAL EASEMENT - Applicant: Holman Automotive, Inc. - Location: South of SE 14 Court, north of SE 15 Street, west of Federal Highway and east of SE 4 Avenue, Croissant Park - Case: 5-R-12A

There is no fiscal impact associated with this action.

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

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

Commissioner Rogers thought there will be a desire for pedestrians to cross Federal Highway when this dealership is developed on both sides of that road, and expressed concern about safety. Upon his request, the (Applicant) made a request to FDOT (Florida Department of Transportation) to look at crossing options, but was not successful initially as they are limited.

Commissioner Rogers introduced the following resolution:

RESOLUTION NO. 12-141

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING AN AERIAL EASEMENT RETAINED OVER A VACATED 15 FOOT ALLEY IN BLOCK 51-L "CROISSANT PARK" RECORDED IN PLAT BOOK 10, PAGE 50 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BY ORDINANCE NO. C-8229, RECORDED IN THE OFFICIAL RECORD BOOK 10277, PAGE 786 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND LOCATED SOUTH OF SOUTHEAST 14TH COURT, EAST OF SOUTHEAST 4TH AVENUE, WEST OF SOUTH FEDERAL HIGHWAY AND NORTH OF SOUTHEAST 15TH STREET, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

In response to Mayor Seiler, Mr. Mele indicated that the easement vacation for the (Sunrise Boulevard) location will be brought back next month.

**R-6 12-1202 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS -
All vacancy information is provided under Conference item BD-2**

There is no fiscal impact associated with this action.

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

Beach Business Improvement District Advisory Committee	Eduardo Fernandez (Consensus – recommended by Greater Fort Lauderdale Chamber of Commerce) Aiton Yaari (Consensus – Beach Redevelopment Advisory Board representative) Dale Reed (Consensus – W Hotel representative) Scott Brooks (Consensus/Alternate – W Hotel representative) Amaury Piedra (Consensus – Weston Beach Resort representative) Marcos Borrás (Consensus – Bahia Mar representative) Jim Oliver (Consensus – Ritz Carlton Hotel representative) Thomas Hastings (Consensus/Alternate - Beach Place Tower representative) Kenyata Allain (Consensus – Thor Gallery at Beach Place representative) Bill Cunningham (Consensus – Marriot Courtyard representative)
Community Appearance Board	Carol Cappadona (Commissioner Roberts)
Nuisance Abatement Board Reapportionment Committee	Lorraine Saunders (Consensus – appointment to full member) Marilyn Mammano (Recommended by and from Council of Civic Associations) D. Ryan Saunders (At-Large)
Sustainability Advisory Board	Anthony Olivieri (Mayor Seiler) Jim Moyer (Commissioner DuBose)

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-142

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

Commissioner Roberts had left the meeting momentarily and was not present for this vote.

OB 12-1290 WALK-ON – A resolution authorizing the Fire-Rescue Department of the City of Fort Lauderdale to perform routine transfers.

There is a positive fiscal impact to the city in the amount to be determined by the number of transports provided. Projected routine transfer revenue is budgeted for FY 2013 at \$1,340,137.

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-143

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 8.02 OF THE CITY CHARTER, CONFIRMING RESOLUTION NO. 12-121 WHICH DECLARED THE INTENT OF THE CITY COMMISSION TO SELL, GRANT AND CONVEY PUBLIC PROPERTY TO THE HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE TO BE USED FOR AFFORDABLE HOUSE; FURTHER, ACCEPTING THE OFFER OF FOURTEEN THOUSAND AND NO/100 DOLLARS (\$14,000.00) FROM THE HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE FOR THE PURCHASE OF SUCH PUBLIC PROPERTY, MORE PARTICULARLY DESCRIBED BELOW; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR PURCHASE AND SALE OF THE PUBLIC PROPERTY; AUTHORIZING EXECUTION AND DELIVERY OF A DEED OF CONVEYANCE OF THE PUBLIC PROPERTY TO THE HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE; AND FURTHER AUTHORIZING THE EXECUTION OF ANY AND ALL INSTRUMENTS REASONABLY NECESSARY OR INCIDENTAL TO CONSUMMATION OF THE TRANSFER OF TITLE TO THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.

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

Commissioner Roberts had left the meeting momentarily and was not present for this vote.

PUBLIC HEARINGS

PH-1 12-1288 SALE OF CITY-OWNED PROPERTY, PURCHASE AND SALE CONTRACT AND DEED OF CONVEYANCE - \$14,000 - Accepting offer from Housing Authority for two parcels located at northwest corner of NW 7 Street and 14 Avenue and 637 NW 10 Terrace for affordable housing and authorizing proper City Officials to execute all necessary documents

Please see funding information attached to these minutes.

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

Commissioner DuBose asked that this item be deferred to September 5, 2012, to allow him time to address this matter with the Housing Authority.

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

Motion made by Commissioner DuBose and seconded by Commissioner Roberts to defer this item to September 5, 2012. Roll call showed: YEAS: Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, Vice Mayor Rodstrom, and Mayor Seiler. NAYS: None.

PH-2 12-1229 FIRST READING OF ORDINANCE REZONING TO Commerce Center (CC) from General Business (B-2) - Applicant: Victoria's Corporate Plaza, LLC. - Location: 6245 NW 9 Avenue - Land Use: Employment Center - Case: 4-Z-12

There is no fiscal impact associated with this action.

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

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

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-12-30

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM "B-2" TO "CC", THE NORTH 222.65 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, LESS THE EAST 253.96 FEET THEREOF, LOCATED NORTH OF CYPRESS CREEK ROAD (NORTHWEST 62ND STREET), SOUTH OF NORTHWEST 65TH STREET, WEST OF POWERLINE ROAD AND THE NORTH BOUNDARY OF SAID PARCEL LYING WESTERLY OF NORTHWEST 63RD STREET, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A"

ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

PH-3 12-1060 RESOLUTION AUTHORIZING DESIGNATION OF SITE SPECIFIC AREAS DESCRIBED AS NORTHWEST GARDENS II, III and IV AND DR. KENNEDY HOMES as Brownfield areas and adding them to the Job Accelerator Zone - Affordable Housing.

There is no fiscal impact associated with this action.

There being no 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 DuBose, Commissioner Rogers, Commissioner Roberts, Vice Mayor Rodstrom, and Mayor Seiler. NAYS: None.

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-137

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

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

PH-4 12-0743 DISCONTINUATION OF COMMUNITY BUS ROUTES AND NON-RENEWAL OF INTERLOCAL AGREEMENT with Broward County for Community Bus Service – motion authorizing City Manager to notify Broward County of City’s intent not to renew the Interlocal Agreement

Please see funding information attached to these minutes.

Mayor Seiler announced that this is a hearing pursuant to 49 USC Section 5307(d)(1) and Section 2.1.3(4) of the Interlocal Agreement.

Diana Alarcon, Transportation and Mobility Director, noted staff's recommendation for non-renewal of the Interlocal Agreement with Broward County, for discontinuation of the red and blue community bus service routes (shown on page 29, Exhibit 1 of Commission Agenda Memorandum 12-0743) with the Housing Authority. The City had contracted with the Housing Authority to operate the red and blue routes. Over the past year, the current routes and operations of the Housing Authority and TMA were reviewed by City staff; MPO (Metropolitan Planning Organization); BCT (Broward County Transit); TMA (Downtown Fort Lauderdale Transportation Management Association); Housing Authority; and the SFRTA (South Florida Regional Transportation Authority). Being that there is reduced funding and duplications in the operation, it was believed that the routes could be eliminated or streamlined for efficiencies. Therefore, staff is coordinating with the TMA and other partners to review the TMA routes for optimizing this service. When the blue and red routes are discontinued on October 1, the TMA community bus service and BCT will handle the currently available routes.

Mayor Seiler opened the floor for public comment.

Tam English, Executive Director, Fort Lauderdale Housing Authority, clarified that the Housing Authority assumed control of the blue and red routes over two years ago when the previous vendor, United Resident Council (URC), no longer had the financial means to operate them due to reduced funding from the City and Broward County. At that point, the Housing Authority had an agreement with the City that there would be an effort to locate additional funding to support the routes. However, no additional funding was provided during the first year of operation. The second year, the Housing Authority was given \$25,000 in CDBG (Community Development Block Grant) funding from the City. Since then, the buses have grown older and maintenance and fuel costs have risen. The Housing Authority has not received any CDBG funds from the City this year, and cannot move forward with a \$40,000 to \$50,000 shortfall. He was concerned that these routes were operating at capacity. According to City staff's review, one bus carried an average of 20.5 riders per hour and another averaged 18 riders per hour with a 20-person capacity for each. If two out of four bus lines are removed from the community, someone will not get served. Mr. English thought the City should find another vendor to operate these routes. The ridership is from northwest Fort Lauderdale, low-income, and the most-needy. He referred to a study indicating that seven percent of the ridership is from Housing Authority sites; and 93 percent from other part of the community. Given the small percentage from Housing Authority sites, the Housing Authority could not continue to fund the shortfall with HUD funds.

In response to Commissioner DuBose, Mr. English specified that the Housing Authority's shortfall last year was about \$50,000; the funding received from BCT that goes through the City was \$15 per operational hour or about \$68,000, and it costs about \$118,000 (per year) to maintain these routes. He believed the difference was funded by the Housing Authority. He has now requested \$25,000. Ms. Alarcon confirmed the cost of the routes is roughly \$120,000 per year. Mr. English explained that the hourly operational cost is \$25 to \$28. When URC operated the routes, BCT provided \$20 per hour in funding; the vendor got by, but there were shortfalls. He explained to Mayor Seiler that these buses operate nine hours per day. Commissioner DuBose noted that these buses have the highest ridership of all of the routes in this County funded program.

Given the high ridership, Mayor Seiler asked why the County is not funding the blue and red routes. Ms. Alarcon explained that there is other bus service available which is why staff examined duplication of routes. The City is working with the Housing Authority to identify some areas of expansion for the City's TMA northwest route. However, the majority of the blue and red routes duplicate the TMA or BCT routes. Commissioner DuBose agreed there will be some

common roads when traveling in any type of transportation. He wanted more detail about the level of duplication. In response to Mayor Seiler, Ms. Alarcon clarified that the City, in conjunction with the previously stated partner agencies, have indicated that there is duplication, not the County. Alternative routes were created that did not have duplication; so, it was believed that some of the blue and red routes could be eliminated, and some of the TMA northwest route could be expanded. Commissioner DuBose stressed that the blue and red routes are dedicated to central service destinations in District III, such as the Cooperative Feeding Program, Department of Children and Families, and WorkForce One; otherwise, riders would have to transfer frequently. Being that other buses travel to these sites, it could be said that there is some duplication, but those routes are not dedicated to central services. He knew the Sun Trolley and the TMA do not have a similar route. Ms. Alarcon was uncertain if there is another bus route dedicated to central service destinations, but bus service is available to reach those locations, though transfers may be necessary.

Commissioner DuBose emphasized that discontinuing these routes will affect individuals who are dependent upon them, like senior citizens. He was unsure if staff explored any alternatives to discontinuation; \$50,000 is a relatively small shortfall to address in comparison to the significant impact of discontinuation. He expressed gratitude to the Housing Authority for sustaining these routes for the last two years, and wanted to find a means to continue them.

In response to Commissioner Rogers, Mr. English elaborated upon the blue and red routes which loop between the downtown and Lauderhill bus stations. About two-thirds of the routes' actual miles are in the city, and about three-quarters of the stops are in the city. In response to Mayor Seiler, he was uncertain what percentage of the riders are not residents of Fort Lauderdale. He thought most riders are city residents that return to the city, rather than Lauderhill residents coming into Fort Lauderdale. Mayor Seiler and Commissioner DuBose inquired as to whether the City has asked the County to provide additional funding to continue these routes. Commissioner Rogers recalled that the (Housing Authority) applied for a transportation grant. Mr. English explained that another grant was provided from the SFRTA which would have provided \$60,000 toward a second new bus at a cost of \$75,000; he elaborated upon reasons why the \$15,000 match was not amassed. He confirmed that the Housing Authority is going to return the grant. In response to Mayor Seiler, he indicated that other funding sources, besides HUD, are minimal. Commissioner Rogers thought the City is endeavoring to create a transportation system that is cost-efficient in terms of not duplicating services. He noted that only seven percent of Housing Authority residents utilize the routes. Being that the original intent of the red and blue routes has morphed into something else, he thought this should be looked at holistically to determine the most cost-efficient means to operate. Regardless of whether the riders are residents of Housing Authority sites, Mr. English believed the main issue is the community's need for these routes. At this time, there is no plan for how the 6,500 riders per month will be accommodated. Commissioner Rogers disagreed because there are available BCT and TMA routes, though not door-to-door to central service locations. The goal is to work toward more efficiency. Mr. English believed there will be individuals without a bus to ride if these routes are discontinued; although there are other buses, he was not sure at what capacity they are operating. The blue and red routes have been full for the last six months with the highest ridership ever seen.

In response to Mayor Seiler, Mr. English explained that the cost per rider is about \$1.50. The County does not have any routes that are more cost-efficient than these routes. If the County is to be approached about this matter, it would be done by City staff, not the Housing Authority. Ms. Alarcon explained that the only funding the County will provide to any city is \$15 per hour for community bus service. The City has applied for as much funding as possible.

Commissioner DuBose asked whether the City has recently addressed this matter with the County. Ms. Alarcon recalled that, upon the County's advisement, City staff applied for funding through the Community Bus Service (program) in May and received it, but it only provided about \$6,700 in additional funding for the Housing Authority. Furthermore, this additional funding was based on a plan to expand the red and blue routes to Saturday operations which was not realized. In response to Mayor Seiler, she explained that these routes operate 9 hours per day, 5 days per week, Monday through Friday. In response to Commissioner DuBose, she indicated that the \$6,700 in funding cannot be utilized because Saturday operations were not added. In further response, she explained that the Housing Authority first made staff aware of the issue related to the red and blue routes in June; but staff had already begun to look into this matter about one year ago. Staff has specifically addressed this funding issue with the County numerous times since June.

Mayor Seiler thought it is the County's obligation to fund these routes, if the other bus route for this area is also at full-capacity. The County is paying for empty buses to operate throughout Broward, yet these routes are at capacity, some 193 hours per month, and need funding. He expressed willingness to address this matter with the County. Fort Lauderdale is unique, in comparison to suburban communities in the county. Vice Mayor Rodstrom indicated that the County has discontinued a lot of general bus service because of budget shortfalls; but, she believed the County will endeavor to add more service if there is extra funding in this budget cycle. She suggested and Mayor Seiler agreed that the Manager should send a letter to the County, indicating the Commission's priority and requesting consideration to fund these routes; as well as a letter to the TMA, asking for the Sun Trolley's route to include Gateway Terrace. Commissioner Rogers commented that this is a matter of the County not wanting to fund these routes, including the Sun Trolley Gateway Terrace route, because these services do not pay for themselves. Commissioner Roberts clarified that the County discontinued the Gateway Terrace route, and now wants the City to pick it up through the TMA. He thought these routes should be supplied by the County not the municipality. Commissioner Rogers noted that the County is the major transportation supplier with the associated infrastructure. If the County now wants to transition to a community bus system, they need to help pay for it. In response to Vice Mayor Rodstrom's comment that the BCT has also cut large routes, Commissioner Rogers pointed out that the County is cutting inefficient routes that do not have enough riders to support the route.

Mayor Seiler wanted the County to advise whether there are buses with similar routes operating at full-capacity. Commissioner Rogers noted that the blue and red routes are free and therefore, more frequently used. There is a need for more forward thinking regarding these matters. Although he and Commissioner Roberts (as board members of the Downtown Fort Lauderdale Transportation Management Association) endeavor to review these issues monthly and implement a comprehensive plan, it is necessary to bring them to the County with the goal of making the entire transportation system work together. The bottom line is that there is just not enough funding.

In response to Commissioner Roberts, Mr. English confirmed that the Housing Authority does not have excess funds to pay for these routes as all of their (non-HUD) funding supports the Step-Up Program. Commissioner Roberts recalled the City providing the Housing Authority with CDBG funding and other funding for Step-Up. If the City had known about this matter, that funding could have been utilized to prevent discontinuation of the red and blue routes. He felt the Housing Authority has room in its budget to support these routes and agreed with Vice Mayor Rodstrom's suggestion to send a funding request letter to the County. Mayor Seiler emphasized that these routes leave the City of Fort Lauderdale. Commissioner Roberts indicated that public transportation for the elderly and needy is a City priority. He urged Mr.

English to re-examine the Housing Authority's budget to determine if any reallocations can be made. Vice Mayor Rodstrom also thought the Commission should provide more support to staff in addressing this matter with the County. In terms of funding distribution, Commissioner Roberts remarked that the County should consider Fort Lauderdale's public transportation needs that are more extensive than other cities and consequently Fort Lauderdale should receive a larger share.

In response to Mayor Seiler, Mr. English indicated that the Housing Authority has traditionally received \$250,000 from the City to fund Step-Up; and, this year, the City provided, either, \$250,000 or \$275,000. The primary concern is not who operates the routes, but rather that the adjusted routes have the capacity to meet the needs. Commissioner Rogers pointed out that the Housing Authority has not provided a transition mechanism. There must be a plan to address these issues with all involved parties. Mr. English noted that the Housing Authority has been in continual contact with City staff since last September. If these routes must be discontinued, he simply wants to be certain that the Commission is aware of the ramifications. Commissioner Rogers stressed that the TMA and City staff have worked to implement a public transportation plan. He disagreed with the Housing Authority's approach which he thought is, either the City provides \$25,000, or the Housing Authority discontinues the bus routes. Mr. English clarified that the Housing Authority is not seeking the funding now; rather, he is asking the City to find a way to support these routes. One year ago, the Housing Authority told the TMA that it did not want to provide public transportation. Nonetheless, Commissioner Rogers pointed out that, subsequently, the Housing Authority applied for and received a grant which precluded the City from applying. Mr. English reiterated that the Housing Authority returned this grant so it could be given to the City.

Commissioner DuBose agreed with Commissioner Rogers. He thought this matter can be resolved. If the City had known about this, it would have reallocated some of the recent \$275,000 in CDBG (Community Development Block Grant) funding it provided to the Housing Authority in order to meet the need for these routes. He agreed with Vice Mayor Rodstrom's suggestion to notify Broward County via a letter. In the spirit of resolving this issue, he thought the Housing Authority should continue operating these routes for another year. Mr. English noted that there were two separate contracts, one for the bus routes and one for Step-Up. He reiterated that the Housing Authority has been addressing this matter with City staff and was not granted CDBG funding which is the reason for their shortfall. He clarified for Commissioner DuBose and Mayor Seiler that the total funding provided by the City this year was \$275,000, and last year \$150,000 or \$175,000. In response to Mayor Seiler, he noted that the Housing Authority has been endeavoring to find a way out of operating the bus routes if they are not properly funded. Given the minimal ridership of the Housing Authority clients, it is a better option to have the TMA or a similar agency operate these routes. Mayor Seiler agreed an inquiry should be made to the County. The most efficient method must be determined. But, in the short-term, he agreed with Commissioner DuBose that the Housing Authority could continue operating these routes until the City can reach a solution with the County. There was consensus agreement. In response to Commissioner Rogers, Mayor Seiler stressed that the City cannot fund bus routes that go outside the city. Ms. Alarcon confirmed for Mayor Seiler that staff will draft a letter to send to the County.

Roosevelt Walters, 1207 NW 10 Place, noted his experience and credentials as a 55-year resident of the city, and as a member of the TMA's advisory council. He recalled participating in the creation of these routes. He expressed dissatisfaction with this topic. The goal is to take care of those who cannot take care of themselves and this is where his allegiance lies, in terms of these bus routes. As for duplication, he pointed out that free buses are not comparable with

BCT routes costing \$1.75 per ride. As for capacity of BCT buses, he indicated that they are full during rush hour, but not otherwise. Both the red and blue routes have more than double of BCT's required ridership to maintain a community bus. He thought this matter should have been brought before the TMA board before going to the City Commission. He and several others have addressed this matter over the past year. He questioned whether the Commission has the authority to require the Housing Authority continue operating these routes. He did not believe the City would be able to obtain a larger share of County funding than \$15 per hour because funding is consistent for all of the municipalities unless there are some exceptions where funds would become available. Discontinuing the red and blue routes will worsen services and increase travel time. He urged the City to find a way to provide the red and blue routes as this ridership cannot afford to pay for the BCT routes.

Robert Walsh, 401 East Las Olas Boulevard, thought the Housing Authority's financial records should be examined by the Inspector General.

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

Commissioner DuBose reiterated his desire that the Housing Authority continue providing the routes for another year while the City works to resolve this. In light of HUD regulations requiring a public hearing to be held if a route is to be discontinued, Commissioner Rogers asked whether this hearing could be continued until answers are received from the County, or measures are taken to work out a plan with the Housing Authority. He was frustrated that, although the plan for public transportation is moving forward to be more community oriented, there are still significant funding issues. Public transportation is a subsidized system. But, the County does not allow the City to increase the Sun Trolley's fare. Being that the TMA board does not receive significant input from the County as to how these issues can be remedied, he thought it is worthwhile to address the County and force some dialogue. In response to Commissioner Roberts, the City Manager explained that there are some questions regarding the direct use of CDBG funding for community bus routes. But, the point is that the City created capacity by funding Step-Up for the Housing Authority to utilize their non-HUD funding for the bus routes. Mayor Seiler referred to other significant County expenses that the City has been absorbing such as E911 dispatch, and noted that the City cannot also foot the bill for the County's public transportation obligation. He suggested this item be deferred to September 5, 2012, to allow time to further address this issue with the County and the Housing Authority.

Motion made by Commissioner Rogers and seconded by Commissioner DuBose to defer this item to September 5, 2012. Roll call showed: YEAS: Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, Vice Mayor Rodstrom, and Mayor Seiler. NAYS: None.

ORDINANCES

O-1 12-1232 **SECOND READING - CHARTER AMENDMENT - BALLOT LANGUAGE- NOVEMBER 6, 2012, GENERAL ELECTION - SALE OF SURPLUS CITY-OWNED PROPERTY FOR AFFORDABLE HOUSING OR ECONOMIC DEVELOPMENT PURPOSES - changing**

referendum date

There is no fiscal impact associated with this action.

Commissioner Rogers introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-12-29

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING ORDINANCE NUMBER C-11-36 OF THE CITY OF FORT LAUDERDALE, FLORIDA, SETTING THE DATE FOR A BALLOT QUESTION WHETHER TO AMEND THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROVIDE FOR THE SALE OF SURPLUS REAL PROPERTY FOR AFFORDABLE HOUSING OR ECONOMIC DEVELOPMENT PURPOSES, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

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

O-2 12-1228 SECOND READING - CHARTER AMENDMENT - ARTICLES III AND VII - GOVERNMENT OF CITY AND FORM OF GOVERNMENT AND ELECTIONS

Please see funding information attached to these minutes.

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-12-28

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR THE ELIMINATION OF MUNICIPAL PRIMARY ELECTIONS, PROVIDING FOR MUNICIPAL ELECTIONS IN CONJUNCTION WITH THE GENERAL ELECTION IN NOVEMBER 2018 AND EVERY FOUR YEARS THEREAFTER, PROVIDING FOR THE MAYOR AND COMMISSIONERS ELECTED IN 2015 TO SERVE UNTIL THEIR SUCCESSORS ARE ELECTED AND QUALIFIED AS A RESULT OF THE NOVEMBER 2018 ELECTION, PROVIDING FOR FOUR-YEAR TERMS FOR THE MAYOR AND COMMISSIONERS BEGINNING IN 2018, PROVIDING FOR A BALLOT MEASURE, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

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

None.

O-3 12-1265 SECOND READING - CODE AMENDMENT - PROHIBITING SALE, DISPLAY, DELIVERY AND POSSESSION OF HERBAL INCENSE, SYNTHETIC MARIJUANA AND BATH SALTS - Chapter 16

There is no fiscal impact associated with this action.

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-12-27

AN ORDINANCE AMENDING CHAPTER 16, ARTICLE III, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA BY CREATING SECTION 16-55 PROHIBITING THE SALE, DISPLAY, DELIVERY AND POSSESSION OF HERBAL INCENSE, SYNTHETIC MARIJUANA AND BATH SALTS; PROVIDING FOR DEFINITIONS; PROVIDING FOR LABEL REQUIREMENTS ON PACKAGING; PROVIDING FOR PENALTIES; AND FURTHER PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

O-4 12-1279 SECOND READING - ESTABLISHING REDEVELOPMENT ADVISORY BOARD FOR MIDDLE RIVER - SOUTH MIDDLE RIVER - SUNRISE BOULEVARD COMMUNITY REDEVELOPMENT AREA - purpose and duties, number of members, criteria and term

There is no fiscal impact associated with this action.

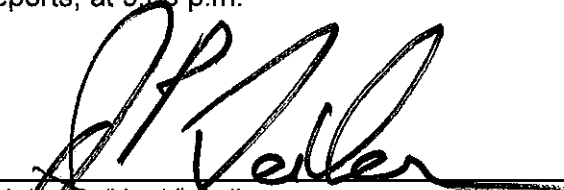
Commissioner DuBose introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-12-26

AN ORDINANCE OF THE CITY COMMISSION OF THE FORT LAUDERDALE, FLORIDA, ESTABLISHING AN ADVISORY BOARD TO BE NAMED THE "MIDDLE RIVER SOUTH MIDDLE RIVER SUNRISE BOULEVARD REDEVELOPMENT ADVISORY BOARD"; PROVIDING FOR MEMBERSHIP, PURPOSES AND DUTIES OF THE BOARD; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

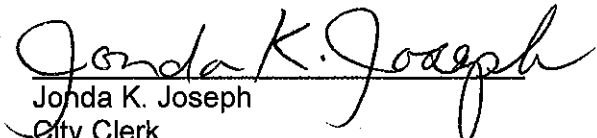
Which ordinance was read by title only. Roll call showed: YEAS: Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, Vice Mayor Rodstrom, and Mayor Seiler. NAYS: None.

Note: The City Commission adjourned the regular meeting at 9:58 p.m. and returned to the conference meeting agenda, Commission Reports, at 9:58 p.m.



John P. "Jack" Seiler
Mayor

ATTEST:



Jonda K. Joseph
City Clerk

M-5

Resource Impact

There is a positive fiscal impact to the city in the amount of \$9,000 , for the first year of the agreement, to be deposited into Fund 001, Subfund 01, PKR030801-K303 Mills Pond Programs- Contracted Events, contingent upon the approval and appropriation of the Fiscal Year 2012-2013 Budget to the funding section.

FY Year	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
2012-2013	001	01	GENERAL FUND	PKR030801	Mills Pond Programs	K303	Contracted Events	9,000.00
					TOTAL			9,000.00

Attachment

Exhibit1 - Agreement

Prepared By: Stacey Daley

Department Director: Phil Thornburg, Director, x5348

Finance Director Certification:

Resource Impact

There is a fiscal impact to the City in the amount of \$3,999.69 for the change order, and \$679.95 for 17% Engineering Fees for a total of \$4,679.64.

Funding is available in FY 2012, Fund 470, Sub-fund 02, P11426.470-6599,

FUND	SUB-FUND	FUND NAME	INDEX #	INDEX NAME	SUB-OBJECT #	SUBOBJECT NAME	AMOUNT
470	02	Stormwater - Capital Projects	P11426.470	North Fork of the New River PCD Install	6599	Construction	\$4,679.64
TOTAL							\$4,679.64

Attachment(s)

- Exhibit 1 – Change Order No. 1
- Exhibit 2 – Project Cost Summary

M-9

Resource Impact

There is a fiscal impact to the City in the amount of \$213,735.18. This includes \$26,248.18 for 14% engineering and administration fees.

Available

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUB OBJECT NAME	AMOUNT
331	01	General Capital Projects	P11709.331	Shirley Small Park (AKA Melrose Park Improvement)	6599	Construction	\$96,035.18
345	01	Special Obligation Construction2011	P11709.345	Shirley Small Park (AKA Melrose Park Improvement)	6599	Construction	\$117,700.00
TOTAL							\$213,735.18

Attachment Exhibit 1 - Bid Tabulation

M-10



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo**

12-1277

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to authorize execution of Task Order 3 with CDM Smith Inc. – Not to Exceed \$79,125

Recommendation

It is recommended that the City Commission approve, Task Order 3 with CDM Smith Inc., in the not-to-exceed amount of \$79,125.00 – Project 11689 – G.T. Lohmeyer WWTP Sludge Feed Wet Well Mixers Replacement, and authorize the City Manager to execute on behalf of the City.

Background

This item is to request Commission approval of Task Order 3 with the City's Wastewater Consultant for design, permitting, bidding, and construction services regarding electrical repairs and improvements in support of the replacement of three sludge feed wet well mixers at the George T. Lohmeyer Wastewater Treatment Facility.

This task order will support replacement of electrical conduit, wire, interposing relays, and motor control buckets for each of three mixers which will be purchased and installed outside of this task order. The task order also includes support for replacement of electrical conduit, wire, and outlets which have all failed in the third floor of the dewatering building.

Resource Impact

There is a fiscal impact to the City in the amount of \$80,707.50 for the task order and engineering administration fees.

FUNDS TRANSFER							
FROM FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
451	02	Central Regional Wastewater System -Replacement	P00401	Regional Replacement/Recap	6599	Construction	80,707.50
TOTAL							80,707.50
TO FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBOBJECT NAME	AMOUNT
451	02	Central Regional Wastewater System -Replacement	P11689.451	GTL Dewatering Sludge Feed Wet Well Mixers Replacement	6599	Construction	80,707.50
TOTAL							80,707.50

Attachment
Exhibit 1 – Task Order 3

M-11



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo**

12-1259

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to Authorize Reimbursement of Funds to Riverwalk Fort Lauderdale, Inc. d/b/a Riverwalk Trust

Recommendation

It is recommended that the City Commission adopt a motion approving and authorizing the City Manager to make a reimbursement up to \$22,500 to Riverwalk Fort Lauderdale, Inc. d/b/a Riverwalk Trust for the 2010 Business Capital Improvement Grant Program (BCIGP).

Background

The Riverwalk Fort Lauderdale, Inc. d/b/a Riverwalk Trust received a 2010 Business Capital Improvement Program grant for \$22,500 for the design of wayfinding signage along the Riverwalk.

On June 26, 2012, the Riverwalk Trust requested the grant be converted to a Business Capital Improvement Grant Program. This project will be implemented by the Riverwalk Trust and the City will directly reimburse all eligible costs to the Riverwalk Trust up to \$22,500. The Riverwalk Trust will match the grant with \$22,500. The total cost of the project will be \$45,000.

City staff requests the Commission authorize the City Manager to make reimbursement to Riverwalk Fort Lauderdale, Inc. d/b/a Riverwalk Trust for the eligible costs for the design, purchase, and installation of signage for the Riverwalk area. All reimbursements will be made directly to Riverwalk Fort Lauderdale, Inc. d/b/a Riverwalk Trust in an amount up to \$22,500.

Resource Impact

There is a fiscal impact to the City in the amount of \$22,500.

Available

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUB OBJECT NAME	AMOUNT
331	01	General Capital Projects	P11611.331	2010 BCIP RIVERWALK TRUST WAYFINDING SIG	6599	Construction	\$22,500.00
TOTAL							\$22,500.00

As indicated, this is additional work to be compensated per Article 3 – Scope of Services, and Article 5 – Task Orders For Additional Services. A breakdown reflecting this additional work effort is attached.

Resource Impact

There is a fiscal impact to the City in the amount of \$24,737.58. This includes \$24,252.53 for the task order and \$485.05 for 2% engineering administration fees.

Available

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUB OBJECT NAME	AMOUNT
336	01	Fire Rescue Bond 2005 Series/Construction	P10919.336	New Fire Station 35	6599	Construction	\$24,737.58
TOTAL							\$24,737.58

Attachment

Exhibit 1 – Task Order No. 1

Prepared By: Mark S. Friedman, AIA, NCARB, Construction Manager

Department Director: Albert J. Carbon, P.E., Public Works Director_

Finance Director Certification: _____

M-13



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo**

#12-1258

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to Award and Execute Contract with Wrangler Construction, Inc. -
\$40,890

Recommendation

It is recommended that the City Commission approve a contract with Wrangler Construction, Inc., in the amount of \$40,890, and authorize the City Manager to execute on behalf of the City.

Background

The Lauderdale Manors Homeowners Association, Inc. received a 2009 Neighborhood Capital Improvement Program grant for \$35,000 for the design and installation of decorative street signposts for the Lauderdale Manors community.

The Lauderdale Manors Homeowners Association, Inc. matching grant consists of \$35,000 in Community Development Block Grant (CDBG) funds.

The project bid opening was held on May 16, 2012. Two bids were received with Wrangler Construction, Inc. submitting the lowest, responsive bid in the amount of \$40,890. Staff has evaluated the bid, contractor's qualifications, and references and has verified that Wrangler Construction, Inc. has the ability perform this work.

Resource Impact

There is a \$40,890 fiscal impact to the City.

\$28,890 is available in Fund 331, Subfund 01, P11518.331-6599 and \$12,000 is available in Fund 108, Subfund 01, CD122008-6599.

AVAILABLE FUNDING

FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
331-01	General Capital Improvements Projects	P11518.331	2009 NCIP Lauderdale Manors HOA	6599	Construction	\$28,890.00
108-01	Community Development Grants	CD122008	Lauderdale Manor Street Improvements	6599	Construction	\$12,000.00
						\$40,890.00

Attachment
Exhibit 1 – Bid Tabulation

de-scaling of the various pipe sizes that comprise the wastewater collection system in this area. The total price to de-scale the sewer pipe is \$16,997.00 and would be offset by quantity adjustment for installation of 16-inch diameter CIPP mainline liner in the credit amount of \$17,000.00. Staff believes that these proposed unit prices are competitive based on recent bids received from other contractors on similar work.

There will be a final reconciliation of pay items once all construction items are completed at the end of the project and we will be returning to the Commission at that time to request authorizing of a final adjustment of quantities.

Staff recommends Commission authorize Change Order 2 with Miller Pipeline, LLC f/k/a Miller Pipeline Corporation, in the credit amount of \$3.00 for additional work, and quantity adjustment, and the addition of 45 non-compensable calendar days for de-scaling the sewer pipes. Change Order 2 is attached as Exhibit 1.

Resource Impact

There is a fiscal impact to the City in the credit amount of \$3.00

(\$3.00) is available for this Change Order encumbrance reduction, in Fund 482, Subfund 01, P11342.482-6599; EP03655.

Available:							
FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
482	01	Water and Sewer Debt Financed Construction - Non-Region	P11342.482	W/W CONVEYANCE BASIN A-12	6599	CONSTRUCTION	(3.00)
TOTAL FUNDS AVAILABLE IN THE FUNDING SOURCE(S)							(3.00)

Attachments: Exhibit 1 – Change Order 2
Exhibit 2 – Project Map

The City has contracted with URS separately to prepare a mitigation assessment associated with the Atlantic Intracoastal Waterway (ICWW) Marina Dredging Projects. The ICWW deepening project adjoins City of Fort Lauderdale marine facilities at the Fort Lauderdale Aquatic Complex, Las Olas Marina and the Bahia Mar Yachting Center. The dredging is anticipated to provide additional channel depth allowing deeper draft vessels access to these marine facilities. The scope of this Task Order will be specifically for mitigation of seagrass related to expansion of the Las Olas Marina in conjunction with the ICWW Marina Dredging Projects.

The professional services will include contacting Broward County Environmental and Growth Management Department, Florida Department of Environmental Protection and the US Army Corps of Engineers, along with City Marine Facilities Department and Sasaki Associates, Inc. to establish minimum project requirements (conceptual plan) and permit requirements to support the assessment of compensatory mitigation for potential seagrass impacts associated with the Las Olas Marina Expansion. This information will be compiled and evaluated to assess potentially feasible alternatives to mitigate for the assumed level of potential seagrass impacts. Mitigation alternatives will consider in-kind mitigation at suitable in-county and out-of-county locations.

This task order will be funded by the Beach CRA from the Intracoastal Promenade Project fund. Article 4.3 of the Fort Lauderdale Community Redevelopment Agency By-Laws allows the Executive Director or his designee to procure goods or services up to \$25,000 per purchase or contractual agreement.

Resource Impact

\$24,985.00 is available in Fund 346 (Beach CRA), Subfund 01, P11677.346-6599.

\$24,985 is available in Fund 346, Subfund 01, P11677.346-6599.

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT	SUBJECT NAME	AMOUNT
346	01	CENTRAL BEACH REDEVELOPMENT CRA CIP	P11677.346	Intercoastal Promenade	6599	Construction	24,985.00
TOTAL							24,985.00

Attachment Exhibit 1 – Task Order 8

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the notices of violation and consent order. Staff released a set of bid specifications for the mitigation work and is recommending award to the low bidder through a separate Aviation Advisory Board Item.

This item was reviewed and approved by the Aviation Advisory Board at its July 26, 2012 meeting.

Staff has negotiated Task Order No. 10, in the amount of \$79,115, with the City's Environmental Services Consultant, Miller Legg & Associates, Inc. (Miller Legg), to provide construction observation of the environmental restoration to maintain compliance with the permits and order. Miller Legg will photo document and record by GPS trees to remain and be preserved in the conservation area and create a map of the trees to remain for compliance purposes. Miller Legg will also observe the installation of required tree preservation barricades, erosion control and site demarcation by the contractor. Miller Legg will provide a qualified biologist to observe and document compliance with the specifications and will evaluate final acceptance of the exotic removal and plant installation completed by the Contractor. Additionally, Miller Legg will provide quarterly reports to United States Army Corps of Engineers (USACOE), South Florida Water Management District (SFWMD), and Broward County Environmental Protection and Growth Management Department (BCEPGMD) for a period of three years.

Resource Impact

Funding for this item is available in the FY 12 budget in Fund 468, Subfund 01, BUS07010-3199, contingent upon City Commission Budget Appropriation CAR #12-1255 approval.

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
468	01	AIRPORT FUND	BUS070101	AIRPORT OPERATIONS	3199	OTHER PROF SERV	79,115.00
TOTAL FUNDS AVAILABLE IN THE FUNDING SOURCE							79,115.00

Attachment(s) Exhibit #1 - Miller Legg & Associates, Inc. - Task Order No. 10

Prepared By: Clara Bennett, Acting Deputy Director Transportation & Mobility

Department Director: Diana Alarcon, Director Transportation & Mobility

Finance Director Certification: _____



CR-2

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Consent Resolution approving the consolidated budget amendment

Recommendation

It is recommended that the City Commission approve a resolution authorizing the City Manager to execute the following amendments to the Fiscal Year 2012 Budget.

Background

Staff is recommending that the City Commission amend the FY 2012 operating budget by appropriating the following funding:

Finance Department

A. Appropriation from Fund Balance - Debt payment in full for fire apparatus and trucks to Capital One Master Financing Program

On December 16, 2008, the City Commission authorized the financing of fire apparatus including nine pumper trucks, three aerial ladder trucks and one air/light support vehicle, at a cost of \$7,969,602. The equipment was financed through Capital One Master Lease Financing Program for 10 years at an annual interest rate of 4.87%. The fund has sufficient reserves to pay for the debt in full which will result in an interest savings of \$1,153,420.93 after the prepayment penalty of \$59,440.72.

Staff is recommending that the City Commission amend the FY 2012 operating budget by appropriating \$5,307,443 from the Vehicle Rental (Fleet) Fund reserve for the payment in full of the Capital One Lease.

Information Technology Services

B. Transfer of Funding from Water & Sewer CIP Fund to Water & Sewer Operating Fund Replacement of system hardware and software

The Information Technology Services Department is recommending the purchase of replacement system hardware and software for the Public Works Data Center, an email archiving system, and equipment to virtualize databases in the City Hall Data Center. There is a companion Commission Agenda Item #12-1250 on the agenda as well. Funds in the

amount of \$250,026.24 need to be appropriated from the Water & Sewer General Capital Projects Fund to the Water & Sewer Operating Fund for this purchase.

Staff is recommending that the City Commission amend the FY 2012 operating budget by appropriating \$250,026.24 for the Data Center upgrades.

Public Works

C. Appropriation from Fund Balance - Maintenance and rehabilitation of signal crossings – FEC

As part of long-term agreements with Florida East Coast (FEC) Railway, LLC and Flagler Development Group (a subsidiary of FEC), the City is required to pay for maintenance and rehabilitation of ten signal crossings throughout the City. At this time we have received two invoices totaling \$90,377.06 including NW 4th Street crossing reconstruction for \$88,676.06 and NW 2nd Street signal maintenance for \$1,701.

Staff is recommending that the City Commission amend the FY 2012 operating budget by appropriating \$90,377.06 for the reconstruction of the NW 4th Street crossing and the maintenance of the NW 2nd Street signal crossing.

D. Appropriation from Fund Balance and Other Projects - Replacement of filters in the Fiveash Water Treatment Facility and evaluation of other potentially necessary repairs

The Fiveash Water Treatment Plant is the main water treatment facility for the City of Fort Lauderdale. This lime softening water treatment facility was built in the 1950's and has undergone various expansions and improvements reaching its current configuration. The plant has 22 filters and normally operates with all filters in service and four filters (10, 11, 12, and 13) have experienced failures and are in need of immediate replacement at a cost of \$442,000. This repair is deemed an emergency due to timeliness and the extent of the work to be completed.

In addition to the filter replacement, it is necessary to have a comprehensive evaluation and inspection of all filters which will total \$1,000. In the event that the under-drains are identified as needing reconstruction, the estimated cost for this additional work is \$162,000 for each filter. The total estimated cost for the replacement filters, inspection of all filters, and the under-drain reconstruction is not projected to exceed \$1,091,000.

Staff is recommending that the City Commission amend the FY 2012 operating budget by appropriating \$1,091,000 to fund the repair of four filters and possible drain reconstruction at the Fiveash Regional Water Treatment Plant.

E. Transfer of Funding from CRA CIP Fund to Grants Fund - Reimburse grant funds for expenses

The Northwest Neighborhood Enhancement project consisted of the construction of sidewalks, roadway resurfacing, modification of the drainage system, reconstruction of swales, tree planting, installation of irrigation system and pedestrian lights. Construction of the project is

complete.

In 2011, a charge of \$1,589.53 was charged to the grant P11485.128A under Change Order No. 2 for the removal of a light pole within the work area. This charge was not previously approved by the Florida Department of Transportation (FDOT) prior to commencement of work and therefore not allowable. In addition, a financial adjustment of \$0.47 is required to balance the project expenditures.

Staff is recommending that the City Commission amend the FY 2012 operating budget by appropriating \$1,590 from the Northwest Neighborhood Improvement Project 11485 to adjust the project account and refund the grant account.

F. Appropriation from Fund Balance - Community Appearance Board Award Event

Each spring, the Community Appearance Board (CAB) hosts an annual awards event to formally recognize homeowners, architects, landscapers, and developers for their individual efforts to enhance the City's visual image and economic vitality. This year's 34th Annual Awards Event was held on May 10, 2012 at the Bahia Mar. Nineteen properties were recognized at the event as award winners. These winners will be presented with a bronze

plaque to display at their winning property. In order to fund the purchase of the plaques, and provide for additional costs associated with the event venue, funds must be appropriated from the CAB Subsidiary Account to the CAB Operating budget. In order to secure a purchase order for payment of the winners' plaques, funds must be transferred and appropriated from the CAB Subsidiary account to the CAB Operating Budget.

Staff is recommending that the City Commission amend the FY 2012 operating budget by appropriating \$1,550 of donated funds to fund costs associated with the 2012 Community Appearance Board Annual Awards Event.

Transportation and Mobility

G. Appropriation from Fund Balance - Environmental restoration of airport areas

The City of Fort Lauderdale Transportation and Mobility Department is continuing to work with Broward County environmental and legal staff to finalize issues related to the consent order and the environmental resource licenses issued on December 21, 2007. This includes environmental restoration on Parcels B, C, and D of the Airport Industrial Park. Parcel B, totaling 10.01 acres, contains Natural Resource Area (NRA); Parcel C, totaling 10.29 acres, contains wetlands; and Parcel D, totaling 11.68 acres, contains areas identified with both Natural Resource Area (NRA) and wetlands, which require environmental resource permits and licenses in order to allow for development. Additionally, Parcels C and D are the subject of violations and a final consent order regarding unauthorized impacts to jurisdictional wetlands, damage to trees, and removal of ground cover that occurred in 2001 but were never cured by the former lessee.

In an effort to comply with the environmental restoration to maintain compliance with the

permits and final consent order, Fort Lauderdale Executive Airport staff has negotiated a task order in the amount of \$79,115 with the City's Environmental Services Consultant, Miller Legg and Associates, Inc. Miller Legg and Associates, Inc. will photograph, document, and record by global positioning system (GPS) the trees to remain and to be preserved in the conservation area and create a map of the trees to remain for compliance purposes. Miller Legg will also observe the installation of required tree preservation barricades, erosion control, and site demarcation by the contractor, provide a qualified biologist to observe and document compliance with the specifications, evaluate final acceptance of the exotic removal and plant installation completed by the contractor, and provide quarterly reports for a period of three years.

Staff is recommending that the City Commission amend the FY 2012 operating budget by appropriating \$79,115 from the Fort Lauderdale Executive Airport fund balance to execute the Task Order.

Resource Impact

The fiscal impact in the various funds is outlined in the tables below. The letters below correspond to the descriptions in the previous section.

Finance Department

A. Appropriation from Fund Balance - Debt payment in full for fire apparatus and trucks to Capital One Master Financing Program

APPROPRIATE FROM:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
583		Vehicle Rental	FD583.01	Vehicle Rental Operatlons	9922	Reserve for Replacement	\$ 5,307,443.00
TOTAL							5,307,443.00

APPROPRIATE TO:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
583		Vehicle Rental	LN583.6	Fire Apparatus	7105	Principal	\$ 5,245,166.00
583		Vehicle Rental	LN583.6	Fire Apparatus	7205	Interest	2,836.00
583		Vehicle Rental	LN583.6	Fire Apparatus	7305	Penalty	59,441.00
TOTAL							5,307,443.00

Information Technology Services

B. Transfer of Funding from Water & Sewer CIP Fund to Water & Sewer Operating Fund Replacement of system hardware and software

APPROPRIATE FROM:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
454	01	Water & Sewer General Capital Projects	P11248.454	Utilities IT Special Projects/Replacements	6599	Construction	\$ 250,026.24
TOTAL							250,026.24

APPROPRIATE TO:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
450	01	Water & Sewer Operations	PBS010601	Communicatlons Support	3907	Data Proc Supplies	\$ 84,454.29
450	01	Water & Sewer Operations	PBS010601	Communicatlons Support	3946	Fools/Equip < \$5,000	4,338.60
450	01	Water & Sewer Operations	PBS010601	Communicatlons Support	6404	Computer Equipment	90,175.85
450	01	Water & Sewer Operations	PBS010601	Communicatlons Support	6405	Computer Software	71,057.50
TOTAL							250,026.24

Public Works

C. Appropriation from Fund Balance - Maintenance and rehabilitation of signal crossings – FEC

APPROPRIATE FROM:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
001	01	GENERAL FUND	FD001	GENERAL FUND	9901	Anticipated Year End Balance	90,377.06
TOTAL							90,377.06

APPROPRIATE TO:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
001	01	General Fund	PBS040101	Engineering Administration	3437	IMP REP & MAINT	90,377.06
TOTAL							90,377.06

D. Appropriation from Fund Balance and Other Projects - Replacement of filters in the Fiveash Water Treatment Facility and evaluation of other potentially necessary repairs

APPROPRIATE FROM:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
450	01	WATER & SEWER	FD450.01	WATER AND SEWER - OPERATIONS	9901	ANTICIPATED YR END	\$ 714,000.00
454	01	WATER & SEWER GENERAL CAPITAL PROJECTS	P11246.454	WATER TREATMENT PLANT REPAIR/REPLACEMENT	6599	CONSTRUCTION	\$ 279,442.00
482	01	W&S DEBT FINANCED CONSTRUCTION NON-REGIONAL	P11490.482	FIVEASH WTP FILTER REHABILITATION	6599	CONSTRUCTION	\$ 97,558.00
TOTAL BUDGET APPROPRIATION FROM:							\$ 1,091,000.00

APPROPRIATE TO:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
454	01	WATER & SEWER GENERAL CAPITAL PROJECTS	P11828.454	Filters Rehabilitation at Fiveash	6599	CONSTRUCTION	\$ 993,442.00
482	01	W&S DEBT FINANCED CONSTRUCTION NON-REGIONAL	P11828.482	Filters Rehabilitation at Fiveash	6599	CONSTRUCTION	\$ 97,558.00
TOTAL BUDGET APPROPRIATION TO:							\$ 1,091,000.00

E. Transfer of Funding from CRA CIP Fund to Grants Fund - Reimburse grant funds for expenses

APPROPRIATE FROM:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
347	01	NW PROFRESSO FLAGER HEIGHTS CRA CIP	P11485.347	NW NEIGHBORHOOD IMPROVEMENTS	6599	CONSTRUCTION	\$ 1,590.00
TOTAL							\$ 1,590.00

APPROPRIATE TO:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
128A	01	AMERICAN RECOVERY & REINVEST ACT GRANT	P11485.128A	NW NEIGHBORHOOD ENHANCEMENTS	6599	CONSTRUCTION	\$ 1,590.00
TOTAL							\$ 1,590.00

F. Appropriation from Fund Balance - Community Appearance Board Award Event

APPROPRIATE FROM:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
001	01	GENERAL FUND Deposits-Trust	219-450110	COMMUNITY APPEARANCE BOARD	N/A	N/A	\$ 1,550.00
TOTAL							\$ 1,550.00

REVENUE TO:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
001	01	GENERAL FUND - Operating	PBS070101	COMMUNITY APPEARANCE BOARD	N983	COMMUNITY APPEARANCE BOARD	\$ 1,550.00
TOTAL							\$ 1,550.00

EXPENSE TO:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
001	01	GENERAL FUND - Operating	PBS070101	COMMUNITY APPEARANCE BOARD	3243	Prizes & Awards	\$ 1,550.00
TOTAL							\$ 1,550.00

Transportation and Mobility

G. Appropriation from Fund Balance - Environmental restoration of airport areas

APPROPRIATE FROM:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
468	01	AIRPORT FUND	FD468.01	AIRPORT - OPERATIONS	9901	ANTICIPATED YR END	\$ 79,115.00
TOTAL							\$ 79,115.00

APPROPRIATE TO:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
468	01	AIRPORT FUND	BUS070101	EXECUTIVE AIRPORT	3199	OTHER PROFESSIONAL SERVICES	\$ 79,115.00
TOTAL							\$ 79,115.00

CR-4

City of Fort Lauderdale
City Commission Agenda Item

#12-1280

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Appointment of Bond and Disclosure Counsel for the Issuance of Pension Obligation Bonds

Recommendation

Approve resolution appointing Squire Sanders (US) LLP as Bond Counsel and Steve Bullock, P.A. as Disclosure Counsel for the issuance of Taxable Special Obligation Bonds, Series 2012 (Pension Funding Project) not to exceed \$340 million.

Background

On July 10, 2012, the City Commission discussed at Conference the issuance of Taxable Special Obligation Bonds, Series 2012, for General Employees and Police & Firefighters Retirement Systems. The bonds will fund the Unfunded Actuarial Accrued Liability (UAAL) at a rate of 75% for both defined benefit pension plans.

The debt issuance requires that Bond Counsel and Disclosure Counsel be retained. Because of the recommended firms' extensive knowledge of debt issuances and of the City's debt in particular, Squire Sanders (US) LLP is the recommended firm as Bond Counsel and Steve Bullock, P.A. as Disclosure Counsel.

The fees for the Bond Counsel are as follows: \$1.10 per \$1,000, for the first \$100 million; \$1.00 per \$1,000, for over \$100 million to \$200 million; and \$0.90 per \$1,000 for over \$200 million. Fees for Disclosure Counsel is 80 percent of Bond Counsel. Based on a maximum \$340 million bond issue, costs would be \$336,000 for Bond Counsel and \$268,800 for Disclosure Counsel .

Resource Impact

The expenses for bond and disclosure counsel will be funded from bond proceeds as cost of issuance.

CR-6

employees 18 workers focused on the development of new products and the manufacturing of their existing product line.

Resource Impact

There is a fiscal impact to the City in the amount of \$12,000. Funding for this item currently exists in EDV010101-4299 Other Contributions - Fund 001 subfund 01.

FUNDS AVAILABLE

\$12,000 is available in Fund 001, Subfund 01, EDV010101-4299

Available

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
001	01	GENERAL FUND	EDV010101	ECONOMIC DEVELOPMENT	4299	OTHER CONTRIBUTIONS	12,000.00
TOTAL FUNDS AVAILABLE IN THE FUNDING SOURCE(S)							12,000.00

Attachments:

Exhibit 1 -- Proposed Project

Exhibit 2 - Resolution

Prepared By: Karen Reese, Economic Development Representative

Department Director: Greg Brewton, Director, Sustainable Development

Finance Director Certification: _____

The Lessee has been working to complete the design of the improvements and anticipates breaking ground on construction within the next few weeks. FXE Parcel 15, LLC has requested an increase in the size of the parcel for additional ramp space to accommodate aircraft parking and further enhance the safe and efficient flow of aircraft maneuvering on the ramp. Staff has determined that an area totaling approximately 44,954 square feet (1.03 acre) contiguous to the northwest portion of the existing leasehold would accomplish the tenant's goals without impacting potential future airport development.

This item was reviewed and approved by the Aviation Advisory Board at its June 28, 2012 meeting.

This additional area would result in a new parcel size of 347,253 square feet, or 7.97 acres. With this additional square footage the new annual rent for Parcel 15 will be \$114,593 at the \$0.33 per square foot rental rate.

Resource Impact

The Lease Amendment results in additional positive fiscal impact to the city in the amount of \$14,888.46 per year beginning July 1, 2013.

Attachments:

Exhibit 1 - FXE Parcel 15, LLC - First Amendment to the Amended and Restated Lease Agreement

Exhibit 2 - Resolution

Prepared By: Clara Bennett, Acting Deputy Director Transportation & Mobility

Department Director: Diana Alarcon, Director Transportation & Mobility

Finance Director Certification: _____

PUR-1

City of Fort Lauderdale
City Commission Agenda Item

12-1218

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to approve one-year contract for wastewater flow, rainfall monitoring and related services – ITB 623-11010 - \$235,500

Recommendation

It is recommended that the City Commission approve a one-year contract in accordance with Invitation to Bid 623-11010 with ADS LLC in the estimated annual amount of \$235,500 for wastewater flow, rainfall monitoring and related services, and authorize the City Manager or designee to approve four one-year renewal options.

Background

This project is to monitor and measure infiltration and inflow (I/I) through the City's sewer system to address areas to address high I/I with future projects. The Scope of Work includes wastewater flow and rainfall monitoring, night flow isolation, smoke testing, manhole inspection, dye-water testing and preparation of a final summary I/I data analysis report documented through field findings. Flow of groundwater and rainfall dependent storm water into the sanitary sewer system has a significant impact on the operating costs and capacity of the City's wastewater treatment plant and pump stations conveyance system. The summary I/I report, obtained through this contract, will be utilized to confirm the effectiveness of the various rehabilitation methods utilized to-date, and to determine most effective and efficient methods for future sewer rehabilitation projects. Additionally, through the abovementioned field activities evaluations, the City would be able to identify additional sewer collection areas which may require sewer rehabilitation, thus helping to minimize I/I flows into our wastewater treatment plant.

Resource Impact

- There is a fiscal impact to the City in the amount of \$235,500.
- Funding for future purchases are contingent upon approval and appropriation of the FY 2013 budget

FUNDS AVAILABILITY LOCATION:

		SUB				SUB		
FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
2012	450	01	WATER & SEWER	PBS060101	UTIL ENG OPERATIONS	3199	OTHER PROF SVS	235,500.00
TOTAL								235,500.00

Attachment(s)

Exhibit 1 - Bid Tabulation 623-11010

Prepared By: Rick Andrews, Procurement Specialist II

Department Director: Albert Carbon, PE

Finance Director Certification: _____

pur-2

size and maneuverability.

- Provide sufficient passenger and cargo room.
- Provide the same level of safety protection as the larger Escape.
- Offer a significantly better fuel economy than the Escapes.

(See Exhibit #2, Fleet Services Potential Fuel Saving Report)

The Procurement Services Division solicited bids from 214 vendors and received 2 responses. The bid listed two optional items. The first is a tridion safety cell and the second is cruise control. The safety cell is high-strength steel engineered to be a barrier between the occupants of the vehicle and anything else. The low bidder, All Luxury Imports of Coconut Creek, Inc. d/b/a/ Mercedes-Benz of Coconut Creek bid \$0.00 for the tridion safety cell because it is offered at no charge on white vehicles. All Luxury Imports of Coconut Creek, Inc. d/b/a/ Mercedes-Benz of Coconut Creek was the low responsive and responsible bidder in the amount of \$69,235 for five Smart Cars including the tridion safety cell and cruise control.

Resource Impact

There is a fiscal impact of \$69,235, for the purchase of five Smart automobiles.

FUNDS AVAILABILITY LOCATION:

FY	FUN D	SUB FUN D	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
201 2	583	01	OTHER NON- OPER	PAR03010 1	FLEET SERVICES	6416	VEHICLES	69,235.00
TOTAL								69,235.00

Attachments

- Exhibit 1 - Bid Tabulation 422-11028
- Exhibit 2 – Potential Fuel Savings Report

PR-3

City of Fort Lauderdale
City Commission Agenda Item

#12-1117

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to approve prepayment of fire apparatus master lease agreement with Capital One Public Funding, LLC - \$5,307,443

Recommendation

It is recommended that the City Commission approve the prepayment of the fire apparatus master lease agreement with Capital One Public Funding, LLC

Background

On December 16, 2008, The City Commission authorized the financing of fire apparatus including nine pumper trucks, three aerial ladder trucks and one air/light support vehicle, at a cost of \$7,969,602. The equipment was financed through Capital One Master Lease Financing Program for 10 years at an annual interest rate of 4.87%. Total payments through maturity on 09/01/2019 would be \$10,224,190.80, of which \$2,254,588.80 is the interest component.

The contract allows for prepayment annually on September 1 each year. If prepaid, the total interest payment savings will be \$1,212,861.65. The prepayment penalty in FY 2012 is \$59,440.72.

Resource Impact

Funding for this item is available in the FY 2012 budget in Fund FD583.01, Vehicle Rental Operations; Object Code 9922, Reserve for Replacement in the amount of \$5,307,443.

APPROPRIATE VEHICLE RENTAL OPERATIONS, RESERVE FOR REPLACEMENT TO VEHICLE RENTAL, FIRE APPARATUS FOR
PREPAYMENT OF CAPITAL ONE LEASE

FROM:

SUB						SUB		
FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT	
583	01	VEHICLE RENTAL	FD583.01	VEHICLE RENTAL OPERATIONS	9922	RESERVE FOR REPLACEMENT	5,307,443.00	
TOTAL							5,307,443.00	

TO:

SUB						SUB		
FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT	
583	01	VEHICLE RENTAL	LN583.6	FIRE APPARATUS	7105	PRINCIPAL	5,245,166.00	
583	01	VEHICLE RENTAL	LN583.6	FIRE APPARATUS	7205	INTEREST	2,838.00	
583	01	VEHICLE RENTAL	LN583.6	FIRE APPARATUS	7305	PENALTY	59,411.00	
TOTAL							5,307,443.00	

PUR-4

Resource Impact

There is a fiscal impact to the City in the amount of \$68,464.94

FUNDS AVAILABILITY LOCATION:								
FY	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
2012	450	01	WATER & SEWER OPERATIONS	PBS670302	FIVEASH MAINTENANCE	3407	EQUIP REP & MAINT	68,464.94
TOTAL								68,464.94

PUR-5

Resource Impact

- There is a fiscal impact to the City in the amount of \$33,473.

FUNDS AVAILABILITY LOCATION:								
FY	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2012	450	01	WATER & SEWER OPERATIONS	PBS010101	PUBLIC SERVICES DIRECTOR	4113	MEMBERSHIPS/DUES	33,473.00
TOTAL								33,473.00

PR-6

at \$85.00/hr); the amount is representative of the average hourly fee paid during the previous contract.

The FLHS is a non-profit entity and therefore exempt from the RFP process and it is listed as a proprietary purchase per section 2-189(c)(4) Purchases from another governmental entity or non-profit organization.

Resource Impact

FUNDS AVAILABILITY LOCATION:

SUB			SUB OBJECT					
FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	#	SUBJECT NAME	AMOUNT
2012	001	01	GENERAL FUND	PLN010101	PLANNING AND ZONING	3199	Other Professional Services	85000
TOTAL								85000.00

Attachment(s)

Exhibit 1 - Agreement for Historical Preservation Consulting Services

PUR-7

Resource Impact

There is a fiscal impact to the City in the amount of \$144,231.

FUNDS AVAILABILITY LOCATION:

FY	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2012	450	01	WATER & SEWER OPERATIONS	PBS670302	FIVEASH MAINT	3428	BLDG REP & MAINT	144,231.00
					TOTAL			144,231.00

Attachment

Exhibit 1 - Bid Tabulation 423-11018

Prepared By: Robert McKenney, Procurement Specialist II

Department Director: Albert Carbon

Finance Director Certification: _____

repair of leaking building joints; waterproofing the exterior of the high service pump station No 2 building; removal of the failing acoustic ceiling tiles in high service pump building no 2, replacement of several roofs; replacement of the plant's obsolete emergency generators with new ones in a new generator building; and the installation of a plant-wide fire alarm monitoring system.

The second project is named Fiveash Disinfection System Replacement. The scope of work for this project is to build a new facility for the storage, dilution and dosing of sodium hypochlorite, a water based solution of chlorine disinfectant. The "hypochlorite facility" will replace the existing chlorination system which uses the very dangerous elemental chlorine gas. Chlorine gas is stored on the plant in a railroad tank car and in several containers containing 2,000 pounds of pure chlorine gas each. Because of the hazardous nature of the gas, and the potential for severe damage for neighborhoods within several miles of the water treatment plant in the event of a release, the City has decided to switch sources of chlorine to the much safer sodium hypochlorite.

A detailed cost estimate for the Fiveash Water Treatment Plant construction project is necessary to verify funding and minimize impacts to the ongoing Community Investment Program. Design is complete for this project and the preliminary estimate for the project construction cost is between \$22MM and \$25MM. Due to the uncertainty associated with a preliminary cost estimate, bids could be several million dollars higher. A more precise estimate is necessary to provide adequate funding for this work.

The Procurement Services Division issued bid requests to 5607 vendors and received 2 responses. Quantities Inc. was the lowest responsive in the amount of \$62,605.

Resource Impact

There is a fiscal impact to the City in the amount of \$62,605.

FUNDS AVAILABILITY LOCATION:

FY	FUND	SUB	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
2012	454	01	WATER & SEWER GENERAL CAPITAL PROJECTS	P11589.454	FIVEASH WTP DISINFECTION IMPROVEMENTS	6599	CONSTRUCTION	62,605.00
TOTAL								62,605.00

Attachment(s)

Exhibit 1 - Bid Tabulation 423-10981

The collective equipment is providing better than adequate service, but around the clock operation in an abrasive and corrosive atmosphere rapidly wears the equipment. When a piece of equipment is to be replaced, it's far less expensive to replace it with an exact match, thus avoiding the cost of re-engineering or reconfiguring the surrounding equipment.

While replacement parts and repairs are often needed throughout the year, individual proprietary purchases may not exceed \$25,000. However, in aggregate they may exceed \$25,000. Xylem Water Solutions U.S.A., Inc. offers the City favored customer pricing which is as good as or better than the pricing offered to other government agencies.

Resource Impact

Funding for this item is available in the FY 2012 budget in the Water and Sewer Fund, Regional Wastewater Fund, Stormwater Fund and the Water and Sewer General Capital Projects Fund. Expenditures are charged on as-needed basis and charged to the individual operating budgets per available funds and in accordance with established pricing.

PUR-10

City of Fort Lauderdale
City Commission Agenda Item

#12-1289

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to approve Moore Stephens Lovelace, P.A., as sub-contractor for financial audit services

Recommendation

It is recommended that the City Commission approve the sub-contractor for financial audit services as part of the External Audit Services contract.

Background

On June 5, 2012, the City Commission awarded a contract to Crowe Horwath, LLP, for providing financial audit services (Exhibit 1). This contract requires that the City approve the sub-contractor and the sub-contractor's name was not specifically mentioned in the previous CAR. This motion is a request for the City Commission to approve Moore Stephens Lovelace, P.A., as the sub-contractor to Crowe Horwath, LLP, for providing financial audit services.

Resource Impact

There is no additional fiscal impact to the City from the previously approved CAR.

Attachment

Exhibit 1 Commission Agenda Item 12-0998

PUR-12

Resource Impact

- There is a fiscal impact to the City in the amount of \$11,999.76.
- Funding for this item is available in the FY 2012 budget as per the following:

FUNDS AVAILABILITY LOCATION:

FY	FUN D	SUB FUN D	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2011- 2012	001	01	GENERAL FUND	MGR02010 1	GRANTS OFFICE	3122	LOBBYING SERVICES	11,999.76
TOTAL								11,999.76

Prepared By: Michael F. Walker, Procurement and Contracts Manager

Department Director: Douglas R. Wood

Finance Director Certification: _____

PR-13

City of Fort Lauderdale
City Commission Agenda Item

#12-1213

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to approve first amendments to agreements for professional traffic and transportation engineering consultant services – RFQ 616-10631

Recommendation

It is recommended that the City Commission approve First Amendments to Agreements for professional traffic and transportation engineering consultant services with (1) Kimley-Horn and Associates, Inc., (2) Kittelson & Associates, Inc., (3) Miller Legg & Associates, Inc., and (4) T.Y. Lin International.

Background

The City is updating its professional services agreement language to include updates in the following areas:

- Insurance – updating limits and language as recommended by the City's Risk Manager.
- Definitions – changing and adding definitions to the standard Agreement.
- Compensation and Reimbursables – clarifying language on what is reimbursable.
- Construction Changes – adding language regarding changes during design and changes during construction to better define responsibility for increased cost and liability.

City staff including the City Manager's Office, City Attorney's Office, Procurement, Risk Management and Public Works worked with professional consultants, the City's insurance brokers and other cities to update our standard professional services agreement.

Staff brought amendments containing these language changes to other existing professional services agreements to the Commission on June 5, 2012 CAR 12-0908. Attached amendments to the four Professional Traffic and Transportation Engineering Consultant Services are the last of these amendments.

Resource Impact

There is no fiscal impact associated with this action. Funding for these services will

be from individual projects when services are contracted through individual task orders subject to the availability of funding.

Attachment(s)

Exhibit 1 – First Amendment to Agreement - Kimley-Horn and Associates, Inc.

Exhibit 2 - First Amendment to Agreement - Kittelson & Associates, Inc.

Exhibit 3 - First Amendment to Agreement - Miller Legg & Associates, Inc.

Exhibit 4 - First Amendment to Agreement - T.Y. Lin International

PUR-15

City of Fort Lauderdale
City Commission Agenda Item

12-1217

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to approve various Median Landscaping Projects - Bid 522-11020 - \$256,941.91

Recommendation

It is recommended that the City Commission approve a purchase for Median Landscaping in the amount of \$256,941.91 from Orchidman Landscape Artisans, Corp., Coral Gables, FL, and authorize the City Manager to execute on behalf of the City.

Background

At the City Commission meeting of January 17, 2012, Item CR-06, funding was approved to improve various medians throughout the City of Fort Lauderdale. New plants, trees and sod will be installed at various locations in the City including Federal Highway, NW/NE 13th Street, Powerline Road, A1A, and SW 4th Avenue.

Invitation to Bid 522-11020 was opened on July 17, 2012 with nine bids received. Low bidder, OrchidMan Landscape Artisans, Corp., Coral Gables, FL has met all specifications of the bid and has been deemed the low responsive and responsible bidder.

Resource Impact

There is a fiscal impact to the City in the amount of \$256,941.91

FUNDS AVAILABILTY LOCATION:

FY	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2012	001	01	GENERAL FUND	PKR061401	NORTHWEST MAINT	3434	IMP REP MATERIALS	256,941.91
TOTAL								256,941.91

PUR-16

City of Fort Lauderdale
City Commission Agenda Item

#12-1205

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to award a contract for concrete, stamped asphalt and paving stone repairs – ITB 223-11030 - \$83,140

Recommendation

It is recommended that the City Commission approve a two-year contract for concrete, stamped asphalt and paving stone repairs P-11762 for 2012-2013 (ITB-223-11030) with Straightline Engineering Group, LLC. and authorize the City Manager to execute on behalf of the City.

Background

This project is for repair and construction of concrete sidewalk, curbing, pavers, stamped asphalt and other associated items required to maintain the City's public roads and pedestrian facilities. This contract is also utilized to construct improvements in City facilities.

The bid opening for this project was held on July 11, 2012. Three bids were received. The apparent low bidder Straightline Engineering Group, LLC. submitted the lowest responsive and responsible bid of \$236,946. The bid is based upon various line item unit pricing. Specific line items will be used as they relate to the required projects throughout the term of the contract. This contract is developed to be a resource for any projects requiring the unit bid items for construction of public improvements. Currently, the City has \$83,140 available for the type of work.

Resource Impact

There is a fiscal impact to the City in the amount of \$83,140.

PUR-

FUNDS AVAILABILITY LOCATION

FY	SUB		FUND NAME	INDEX #	INDEX NAME	SUB		AMOUNT
	FUND	FUND				OBJECT #	SUBOBJECT NAME	
2012	331	01	General Capital Projects	P11762.331	Concrete and Paver Maintenance	6599	Construction	\$83,140.00
TOTAL								\$83,140.00

Attachment(s)

Exhibit 1 - Bid Tabulation 223-11030

PUR-17

City of Fort Lauderdale
City Commission Agenda Item

#12-1196

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to approve a one-year contract for Overhead Door Maintenance Services - ITB 523-10989 – \$95,175

Recommendation

It is recommended that the City Commission approve a one-year contract for Overhead Door Maintenance Services to Above All Garage Door of South Florida, Inc. of Hialeah Gardens, Florida, in the estimated annual amount of \$95,175 and authorize the City Manager, or designee, to approve the subsequent three additional one-year terms, providing all terms, conditions and specifications remain the same and both parties agree to the extensions, contingent upon approval and appropriation of funds.

Background

The Parks and Recreation Department is responsible for the maintenance of numerous metal roll-up bay doors in the City's inventory of facilities. Many are quite large and have electric powered units working in unison with coiled springs to lift the heavy doors. The Maintenance Division has limited expertise with these specialty mechanisms and have relied on various door companies in the past to accomplish this work.

Invitation to Bid 523-10989 was opened on June 6, 2012 with three bids received. Low bidder Above All Garage Door of South Florida, Inc. has met all of the specifications of the bid and has been deemed the low responsive and responsible bidder.

Resource Impact

\$95,175 is contingent upon approval and appropriation of the FY 2013 budget.

FUNDS AVAILABILITY LOCATION:

FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2013	001	01	GENERAL FUND	PKR070501	FAC MAINTENANCE SUPPORT	3428	Building Maintenance & Repair	95,175.00
TOTAL								95,175.00

PUR-18

City of Fort Lauderdale
City Commission Agenda Item

#12-1193

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to approve three-year contracts for depository services and merchant credit card services – RFP 725-10974

Recommendation

It is recommended that the City Commission approve three-year contracts for depository services to TD Bank, National Association and merchant credit card services to JPMorgan Chase Bank, N.A. dba Paymentech, LLC and authorize the City Manager, or designee, to approve all renewal options.

Background

These contracts will provide full-service banking and credit card processing services to the City of Fort Lauderdale. Included are items normally associated with our banking operations, including check clearing, deposits, automated clearing house transfer operations, electronic banking and reconciliation services.

It is estimated that entering into these two new contracts will achieve an annual cost savings of \$77,960 for the merchant credit card services contract and \$97,216 in additional revenue annually for the depository services contract, resulting in a comparative positive impact of \$525,530 over current contracts for the three-year contract period (Current Bank Fees of \$515,168 less TD Bank proposed cost of \$281,287 = \$233,881. Current Credit Card Fees of \$2,254,333 less JP Morgan Chase proposed cost of \$1,962,684 = \$291,649).

Resource Impact

Funding is contingent upon approval and appropriation of the FY 2013 budget.

FUNDS AVAILABILITY LOCATION:								
SUB				SUB				
FY	FUN	UN	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
2013	001	01	GENERAL FUND	DSD040101	COMMUNITY INSPECTIONS	3113	FIN & BANKING SERV	10,879.80
2013	001	01	GENERAL FUND	DSD034002	BUILDING PERMITS	3113	FIN & BANKING SERV	84,029.98
2013	001	01	GENERAL FUND	PKR030603	FORT LAUD AQUATIC COMPLEX	3113	FIN & BANKING SERV	3,318.95
2013	001	01	GENERAL FUND	PKR033601	WAR MEMORIAL AUDITORIUM	3113	FIN & BANKING SERV	3,629.34
2013	001	01	GENERAL FUND	FIR010401	FIRE PREVENTION	3113	FIN & BANKING SERV	1,231.21
2013	001	01	GENERAL FUND	POL020210	BACKGROUND INVESTIGATIONS	3113	FIN & BANKING SERV	1,014.20
2013	001	01	GENERAL FUND	MGR090401	CENTENNIAL CELEBRATION	3113	FIN & BANKING SERV	321.37
2013	001	01	GENERAL FUND	PKR010101	PARKS & REC ADMIN	3113	FIN & BANKING SERV	39,893.58
2013	450	01	WATER & SEWER	PBS010501	FIN SERVICES SUPPORT	3113	FIN & BANKING SERV	509,681.57
TOTAL								654,000.00

Attachment(s):
Exhibit 1 - Scoring Tabulation

For-19

Resource Impact

- There is a fiscal impact to the City in the estimated annual amount of \$274,100.95.

Fiscal Available

Year	SUB		SUB					
	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
11/12	409	01	Sanitation	PBS090301	Bulk Programs	3255	Solid Waste Disp	\$ 27,965.00
12/13	409	01	Sanitation	PBS090301	Bulk Programs	3255	Solid Waste Disp	\$ 246,135.95
TOTAL FUNDS AVAILABLE IN THE FUNDING SOURCE(S)								\$ 274,100.95

Attachment(s)

Exhibit 1 - Bid Tabulation 623-10995

Prepared By: Rick Andrews, Procurement Specialist II

Department Director: Albert Carbon, PE

Finance Director Certification: _____



CITY COMMISSION

CITY OF FORT LAUDERDALE
City Commission Agenda Memo

2012 AUG 21 PM 12:14

Revised# 12-1216

8-21-12
PUR-20
FUNDING
CHANGE

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager *L.F. Feldman*

DATE: August 21, 2012

TITLE: **REVISION**-Motion to approve transfer and purchase from Florida State Contract 420-420-10-1, Holiday Park Gymnasium Bleachers, \$75,024.9

*All
transfers
received*

Recommendation

It is recommended that the City Commission approve a transfer and purchase for Holiday Park Gymnasium bleachers, in the amount of \$75,024.90 from Hussey Seating Company, North Berwick, Maine, using State of Florida Contract 420-420-10-1.

Background

The Parks and Recreation Department is requesting to replace the bleachers at the Holiday Park Gym. The current bleachers were installed when the gym was originally built in the 1960's. They are not ADA compliant and are splintering due to age.

Resource Impact

There is a fiscal impact to the City in the amount of \$75,024.90

TRANSFER FROM:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
344	01	Excise Tax Bond	P10720.344	ADA Settlement General Fund	6599	Construction	\$ 75,024.90
TOTAL							75,024.90

TRANSFER TO:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
344	01	Excise Tax Bond	P11833.344	Holiday Park Bleachers	6599	Construction	\$ 75,024.90
TOTAL							75,024.90

Revision Prepared By: Bobbi Williams

Department Director: Emilie R. Smith

Date 8/21/2012
(ID #12-1216 Revised)

Aug-20

City of Fort Lauderdale
City Commission Agenda Item

#12-1216

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to approve purchase from Florida State Contract 420-420-10-1,
Holiday Park Gymnasium Bleachers, \$75,024.90

Recommendation

It is recommended that the City Commission approve a purchase for Holiday Park Gymnasium bleachers, in the amount of \$75,024.90 from Hussey Seating Company, North Berwick, Maine, using State of Florida Contract 420-420-10-1.

Background

The Parks and Recreation Department is requesting to replace the bleachers at the Holiday Park Gym. The current bleachers were installed when the gym was originally built in the 1960's. They are not ADA compliant and are splintering due to age.

Resource Impact

There is a fiscal impact to the City in the amount of \$75,024.90

FUNDS AVAILABILITY LOCATION:

FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2012	344	01	Excise Tax Bond	P10720,344	ADA Settlement General Fund	6599	Construction	75,024.90
TOTAL								75,024.90

Resource Impact

There is a fiscal impact to the City in the amount of \$83,970.

FUNDS AVAILABILITY LOCATION:

FY	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2012	450	01	WATER & SEWER OPERATIONS	PBS660101	DISTRIBUTION & COLLECTION OPERATIONS	6499	OTHER EQUIPMENT	83,970.00
TOTAL								83,970.00

Attachment(s)

Exhibit 1 - Bid Tabulation 422-11045

PUR-22

Therefore, it is incumbent upon Fleet Services to replace these units as soon as possible in order for the City to maintain its beaches effectively and economically.

The Procurement Services Division issued an invitation to bid to 398 vendors and received 3 responses. H. Barber & Sons, Inc. is the low responsive and responsible bidder at \$145,236. Kassbohrer All Terrain Vehicles was deemed non-responsive because they did not meet the minimum requirements for the hopper capacity, moldboard, and did not offer the hot dipped galvanization which is required due to the exposure to the sea salt.

Resource Impact

There is a fiscal impact to the City in the amount of \$145,236

FUNDS AVAILABILITY LOCATION:								
SUB			SUB					
FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBOBJECT NAME	AMOUNT
2012	583	01	OTHER NON-OPER	PAR030101	FLEET SERVICES	6416	VEHICLES	145,236.00
TOTAL								145,236.00

Attachment(s)

Exhibit 1 - Bid Tabulation 422-11032

Prepared By: Robert McKenney, Procurement Specialist II

Department Director: Albert Carbon

Finance Director Certification: _____

PUR 23

City of Fort Lauderdale
City Commission Agenda Item

#12-1281

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE: Motion to approve Underwriters for Special Obligation (Pension Fund)
Financing – RFP 725-11053 - \$849,619

Recommendation

It is recommended that the City Commission approve award to the four top ranked proposers; Citigroup Global Markets Inc. as the senior manager, and J. P. Morgan Securities LLC, Merrill Lynch, Pierce, Fenner & Smith Incorporated and Morgan Stanley & Co. LLC as the three co-managers, in the estimated amount of \$849,619.00 for Special Obligation (Pension Fund) Financing.

Background

A Request for Proposal (RFP #725-11053) for Special Obligation (Pension Fund) Financing was issued July 18, 2012 seeking proposals from Underwriters for Special Obligation (Pension Fund) Financing.

The Evaluation Committee voting members were Douglas R. Wood, Director of Finance, Lynda C. Flynn, City Treasurer and AJ Cross, Budget Advisory Board Member.

On August 3, 2012, the Evaluation Committee met and discussed the ten proposals received and made a recommendation to award to the four top ranked proposers.

Resource Impact

The fiscal impact to the City in the amount of \$849,619 is included as part of the cost of issuance under expenditures for the Pension Obligation Bonds.

Attachment

Exhibit 1 – Bid Tabulation Summary

Staff believes that these systems should be replaced with a newer technology known as "Virtualization." Virtualization allows for the consolidation of systems which requires less hardware, space, and power requirements. It also enhances disaster recovery capabilities by allowing the systems to be run on similar hardware located in other data centers. For instance, if the Public Works Data Center were to be damaged in a hurricane, most of the systems could still be run using the hardware located at City Hall. And the same applies for the systems already virtualized at City Hall. That is, those systems could be run on the hardware located at Public Works if the City Hall Data Center were damaged.

Moving to virtualization requires an upfront cost to purchase the necessary hardware and virtualization software. Because of this factor, multiple system upgrades must occur at the same time to make the transition cost effective. The level of high-availability and redundancy offered by the recommended system would be the equivalent of purchasing over 27 physical servers, plus the added benefits of disaster recovery. The virtualization system can be expanded in the future to support over 100 additional virtual servers at a fraction of the cost of stand-alone servers.

In addition to the hardware upgrades, Public Works must purchase an email archiving system. The email system has grown to the point where a backup cannot be performed in one evening. Because of this backups can only be performed on the weekends. This creates the potential of losing a week's worth of emails and prevents the ability to back up the email system during hurricane preparation procedures. This condition is also impacting our ability to fulfill public records requests.

Due to recent changes in how Microsoft licenses database software (by the number of 'cores' in a server rather than by the number of processors), it has become very expensive to purchase database licenses for stand-alone machines requiring processor/core licenses. The City Hall Data Center has 7 database servers that need to be replaced this year due to their age and manufacturer support expiration. For the same price of upgrading those seven database servers separately, the City can utilize virtualization to upgrade and consolidate over 20 of our databases. Virtualizing databases across the City offers the same disaster recovery abilities mentioned above.

Resource Impact

There is a fiscal impact to the City in the amount of \$334,348.01.

Funding for this item is contingent upon approval by the City Commission of the FY2012 consolidated budget amendment scheduled for the August 21, 2012 agenda and as follows:

Funds Availability Location:							
FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
001	01	GENERAL FUND	ITS010301	INFRASTRUCTURE & OPER	3401	COMPUTER MAINT	76529.7
450	01	WATER & SEWER	PBS010601	COMMUNICATIONS SUPPORT	3401	COMPUTER MAINT	7,791.80
450	01	Water & Sewer Operations	PBS010601*	COMMUNICATIONS SUPPORT	3907	DATA PROC SUPPLIES	84,454.66
450	01	Water & Sewer Operations	PBS010601*	COMMUNICATIONS SUPPORT	3946	TOOLS/EQUIP < \$5,000	4,338.60
450	01	Water & Sewer Operations	PBS010601*	COMMUNICATIONS SUPPORT	6404	COMPUTER EQUIPMENT	90,175.85
450	01	Water & Sewer Operations	PBS010601*	COMMUNICATIONS SUPPORT	6405	COMPUTER SOFTWARE	71,057.50
TOTAL							334,348.01

*Pending appropriation approval via Consolidated Budget Amendment

Prepared By: Richard Ewell, Procurement Specialist II

Department Director: Mike Maier

Finance Director Certification: _____

PUR-25

City of Fort Lauderdale
City Commission Agenda Item

#12-1247

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: August 21, 2012

TITLE Motion to approve payment for maintenance and rehabilitation of ten signal crossings throughout the City – \$90,377.06

Recommendation

It is recommended that the City Commission approve a proprietary purchase to Florida East Coast (FEC) Railway, LLC and Flagler Development Group (a subsidiary of FEC) in the amount of \$90,377.06, for maintenance and rehabilitation of two signal crossings within the City, and authorize the City Manager to execute on behalf of the City.

Background

As part of long-term agreements with Florida East Coast (FEC) Railway, LLC and Flagler Development Group (a subsidiary of FEC), the City is required to pay for maintenance and rehabilitation of ten signal crossings throughout the City.

At this time we have received two invoices totaling \$90,377.06 for NW 4th Street crossing reconstruction (\$88,676.06) and NW 2nd Street signal maintenance (\$1,701.00).

Staff recommends approval of payment in the amount of \$90,377.06 to Florida East Coast Railway, LLC.

Resource Impact

There is a fiscal impact to the City in the amount of \$90,377.06.

This item and necessary funding is contingent upon approval of the consolidated Budget Amendment CAR 12-1255, included on the August 21, 2012 City Commission Agenda and also highlighted below:

APPROPRIATE FROM:							
FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
001	01	GENERAL FUND	FD001	GENERAL FUND	9901	Anticipated Year End Balance	90,377.06
						TOTAL	90,377.06

APPROPRIATE TO:							
FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
001	01	General Fund	P8S040101	Engineering Administration	3437	IMP REP & MAINT	90,377.06
						TOTAL	90,377.06

PUR-26

Resource Impact

\$289,098 was previously encumbered for these contracts. There is \$37,798 remaining on the FY2012 purchase order, which will be unencumbered.

Attachment

Exhibit 1 - June 11, 2012 BID Minutes

price and department copier requirements based on actual usage.

Resource Impact

There is a fiscal impact to the City in the annual amount of \$126,521.24
 Funding for this item is contingent upon appropriation and approval by the City
 Commission of the FY 2013 annual budget request:

FY	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJEC T	SUB OBJECT NAME	AMOUNT
2013	001	01	GENERAL FUND	AUD010101	CITY AUDITOR	3304	OFFICE EQUIP RENT	578.76
2013	001	01	GENERAL FUND	MGR100101	CITY MANAGER	3304	OFFICE EQUIP RENT	2877.04
2013	001	01	GENERAL FUND	ATT010101	CITY ATTORNEY	3304	OFFICE EQUIP RENT	3235.99
2013	001	01	GENERAL FUND	CI K010101	CITY CI FRK	3304	OFFICE EQUIP RENT	3235.99
2013	001	01	GENERAL FUND	MGR010101	CITY MANAGER	3304	OFFICE EQUIP RENT	3235.99
2013	001	01	GENERAL FUND	ATT010101	CITY ATTORNEY	3304	OFFICE EQUIP RENT	2255.24
2013	001	01	GENERAL FUND	CLK010101	CITY CLERK	3304	OFFICE EQUIP RENT	2255.24
2013	001	01	GENERAL FUND	MGR010101	CITY MANAGER	3304	OFFICE EQUIP RENT	2255.24
2013	001	01	GENERAL FUND	MGR090101	PUBLIC INFORMATION	3304	OFFICE EQUIP RENT	1714.27
2013	001	01	GENERAL FUND	FIN020101	CENTRAL ACCT	3304	OFFICE EQUIP RENT	2118.31
2013	001	01	GENERAL FUND	FIN020101	CENTRAL ACCT	3304	OFFICE EQUIP RENT	213.78
2013	001	01	GENERAL FUND	FIN080808	PROCUREMENT	3304	OFFICE EQUIP RENT	948.12
2013	001	01	GENERAL FUND	FIN040201	UTILITY BILLING	3304	OFFICE EQUIP RENT	933.74
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	34.78
2013	001	01	GENERAL FUND	FIR030101	FIRE RESCUE SUPPORT	3304	OFFICE EQUIP RENT	329.45
2013	001	01	GENERAL FUND	FIR010103	DOMESTIC PREPAREDNESS	3304	OFFICE EQUIP RENT	540.88
2013	001	01	GENERAL FUND	HRD010101	HUMAN RESOURCES	3304	OFFICE EQUIP RENT	6599.12
2013	581	01	CENTRAL SERVICES	ITS080101	MAIL SERVICES	3304	OFFICE EQUIP RENT	693.00
2013	581	01	CENTRAL SERVICES	ITS020103	PUBLISHING SERVICES	3304	OFFICE EQUIP RENT	4.12
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	2259.66
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	998.17
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	3498.50
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	866.97
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	975.41
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	817.74
2013	104	01	LAW ENF CONFISCAT	POL050101	POLICE CONFISCATED PROPER	3304	OFFICE EQUIP RENT	490.64
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	2208.76
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	160.19
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	92.65
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	970.64
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	10788.18
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	240.68
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	829.92
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	2014.40
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	14067.73
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	4863.77
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	1866.81
2013	001	01	GENERAL FUND	POL020208	FINANCE/PAYROLL PERSONNE	3304	OFFICE EQUIP RENT	977.09
2013	450	01	WATER AND SEWER	PBS010601	COMMUNICATIONS SUPPORT	3304	OFFICE EQUIP RENT	2873.64
2013	450	01	WATER AND SEWER	PBS010601	COMMUNICATIONS SUPPORT	3304	OFFICE EQUIP RENT	1880.26
2013	450	01	WATER AND SEWER	PBS660101	DISTRIBUTION & COLLECTION	3304	OFFICE EQUIP RENT	230.96
2013	001	01	GENERAL FUND	PBS040101	ENGINEERING ADMINISTRATION	3304	OFFICE EQUIP RENT	3798.77
2013	450	01	WATER AND SEWER	PBS080101	UTILITIES ENGINEERING OPER	3304	OFFICE EQUIP RENT	5718.72
2013	450	01	WATER AND SEWER	PBS010601	COMMUNICATIONS SUPPORT	3304	OFFICE EQUIP RENT	1202.38
2013	451	01	CENTRAL REGIONAL	PBS670503	LOHMEYER REGIONAL PLANT C	3304	OFFICE EQUIP RENT	18.40
2013	451	01	CENTRAL REGIONAL	PBS670503	LOHMEYER REGIONAL PLANT C	3304	OFFICE EQUIP RENT	731.39
2013	450	01	WATER AND SEWER	PBS670306	PEELE/DIXIE OPERATIONS	3304	OFFICE EQUIP RENT	137.59
2013	409	01	SANITATION	PBS090501	CANAL CLEANING OPERATIONS	3304	OFFICE EQUIP RENT	435.20
2013	001	01	GENERAL FUND	PKR030603	FORT LAUDERDALE AQUATIC C	3304	OFFICE EQUIP RENT	2048.28
2013	001	01	GENERAL FUND	PKR033001	FACILITY SUPV & MAINTENANC	3304	OFFICE EQUIP RENT	1122.32
2013	001	01	GENERAL FUND	PKR070201	SPECIAL PROJECTS SUPPORT	3304	OFFICE EQUIP RENT	289.55
2013	001	01	GENERAL FUND	PKR070501	FACILITY MAINTENANCE SUPP	3304	OFFICE EQUIP RENT	58.13
2013	001	01	GENERAL FUND	PKR010402	FESTIVALS	3304	OFFICE EQUIP RENT	458.30
2013	001	01	GENERAL FUND	PKR032801	FACILITY SUPERVISION & MAIN	3304	OFFICE EQUIP RENT	452.03
2013	409	00	SANITATION	PKR090101	SANITATION	3304	OFFICE EQUIP RENT	673.60
2013	001	01	GENERAL FUND	PKR030801	MILLS POND PARK	3304	OFFICE EQUIP RENT	354.82
2013	001	01	GENERAL FUND	PKR033001	FACILITIES SUPV & MAINTENAN	3304	OFFICE EQUIP RENT	254.80
2013	001	01	GENERAL FUND	PKR032801	FACILITIES SUPV & MAINTENAN	3304	OFFICE EQUIP RENT	277.45
2013	001	01	GENERAL FUND	PKR100101	REAL ESTATE	3304	OFFICE EQUIP RENT	1371.47
2013	409	01	SANITATION	PKR080101	SANITATION	3304	OFFICE EQUIP RENT	536.17
2013	001	01	GENERAL FUND	PKR033001	FACILITIES SUPV & MAINTENAN	3304	OFFICE EQUIP RENT	1917.55
2013	409	01	SANITATION	PKR080101	SANITATION	3304	OFFICE EQUIP RENT	102.31
2013	001	01	GENERAL FUND	PKR033601	WAR MEMORIAL AUDITORIUM	3304	OFFICE EQUIP RENT	1013.71
2013	001	01	GENERAL FUND	DSD040101	COMMUNITY INSPECTIONS	3304	OFFICE EQUIP RENT	7161.11
2013	001	01	GENERAL FUND	DSD040101	COMMUNITY INSPECTIONS	3304	OFFICE EQUIP RENT	1723.60
2013	140	01	BUILDING PERMITS	DSD034002	BUILDING PERMITS	3304	OFFICE EQUIP RENT	478.11
2013	001	01	GENERAL FUND	DSD010101	PLANNING & ZONING	3304	OFFICE EQUIP RENT	4323.06
2013	461	01	PARKING SYSTEM	TAM020401	PARKING CITY PARK GARAGE	3304	OFFICE EQUIP RENT	71.65
2013	001	01	GENERAL FUND	TAM040103	TRANSPORTATION	3304	OFFICE EQUIP RENT	1987.52
								\$ 126,521.24

Motion for Discussion	Joseph Guaracino purchased this property on May 25, 2007 for \$2,000,000.00. Early in 2008 a fire gutted the interior of the home. Work began, without permits, to rebuild the interior of the structure. On June 06, 2008 a Building Inspector initiated a case and posted a Stop Work Order. On November 04, 2008, Chevy Chase Bank initiated a foreclosure action against Mr. Guaracino. Mr. Guaracino has had additional legal problems and has been forced to sell all of his properties. Attorney Laura Brogan, representing Mr. Guaracino, has a contract with a proposed buyer to purchase this property for \$1,105,000.00. Only July 16, 2012, Ms. Brogan contacted City Manager Lee Feldman in an effort to reach a pre-purchase agreement prior to the closing date of this sale. On August 12, 2012, Ms. Brogan agreed to a proposal by CM Feldman to bring the property into compliance in exchange for a settlement and release of this lien. The new prospective property owner has agreed to pay the City \$25,000.00 at closing, from the proceeds. In addition the buyer has agreed to demolish the structure within 90 days of closing. This action would bring CE08060529 into full compliance. The buyer also agrees to complete construction on a new residence within 18 months of the closing date. The City Manager is recommending that the Commission approve this agreement.
Special Magistrate	
Certified Mail Receipt Date	February 09, 2009
Meeting Date	February 24, 2009
Violations	18-1 – The water in the swimming pool is green and stagnant. 9-280(b) – There are wide structural settlement cracks at the SW corner of the building. The walls and foundation are not structurally sound. 9-280(g) – The fire damaged wiring and outlets in the affected areas. FBC 105.1 – The interior of the structure has been altered by demolition of 80-90% of the interior space. A dock and pilings have been installed. This work was completed without the required permits and approvals. FBC 105.2.11 – The mechanical system has been altered by removing the ductwork components. FBC 105.2.4 – The plumbing system has been altered by demolishing the bathrooms and kitchen, which are now not functional. FBC 105.2.5 – The electrical system has been compromised by interior demolition and the removal of outlets, switches, drywall, partition walls and other critical components without the required permits and approvals. FBC 106.10.3.1 – Dock and Dolphin pile permit 08021902 has expired but the work on both has been completed.
Outcome	The order required compliance within 28 days or a fine of \$250 per day, per violation for would begin to accrue.
Hearing to Impose a Fine	April 28, 2009
Compliance Date	The property is currently not in compliance.

Resource Impact

Lien in the amount of \$2,478,000.00 will be reduced to \$25,000.00. Revenue will be placed in the General Fund, Index #BLD020101, Sub Object #M103.

MD-2

Original Amount	\$19,075.00
Recorded Date	January 29, 2008 & March 11, 2007
City Costs	\$1,638.00 & \$433.00
Recommendation	\$18,000.00 (92.19% of liens)
Reduction Factors	<ul style="list-style-type: none"> ▪ The property came into full compliance on January 08, 2010. ▪ The property is being maintained and free of other violations.
Motion for Discussion	Christopher & Melissa Christ purchased this property on March 22, 2002 for \$89,900.00. On January 29, 2009, Wachovia Bank initiated a foreclosure action against the Christs. The Bank was awarded a final judgment on June 04, 2009. On August 01, 2012, Brian Gibson contacted the City Manager, Lee Feldman, in reference to this lien. Mr. Gibson purchased a property at 4100 NE 15 th Ave, Pompano Beach, FL on May 12, 2012 in a tax deed sale. Christopher and Melissa Christ previously owned this property. The liens for CE07041641 and CE0301877 are recorded with Broward County and are cross-attaching to the Pompano Property. On July 17, 2012 the City of Fort Lauderdale filed a Statement of Claim to recover any available portion of the \$29,888.07 in surplus funds resulting from the Tax Deed sale. On August 10, 2012, Mr. Gibson agreed to a proposal by CM Feldman to pay the City \$18,000.00 for a full release of these liens. Mr. Gibson is prepared to pay that amount prior to September 06, 2012. We are recommending that the Commission approve this agreement.
Special Magistrate	Case CE07041641
Certified Mail Receipt Date	Notice of hearing posted on the property on October 09, 2007
Meeting Date	November 01, 2007
Violations	9-329(b) – The property was boarded without a valid City board up permit.
Outcome	The order required compliance within 35 days or a fine of \$25 per day for would begin to accrue.
Hearing to Impose a Fine	January 17, 2008
Compliance Date	January 08, 2010
Special Magistrate	Case CE03031877
Certified Mail Receipt Date	Notice of hearing posted on the property on May 11, 2003
Meeting Date	June 5, 2003
Violations	Sec. 9-281(b): Trash and debris on property; Sec. 9-280(b): Doors and windows not weather /watertight; Sec. 47-21.8: Ground cover not maintained; Sec. 47-20.13 A: Parking area in disrepair; Sec. 9-306: Peeling paint/stained surfaces; Sec. 9-278(g): Missing/torn screens
Outcome	The order required compliance within 60 days or a fine of \$50 per day per violation would begin to accrue.
Hearing to Impose a Fine	August 4, 2003
Compliance Date	August 8, 2003

Resource Impact

Liens in the amount of \$19,525.00 will be reduced to \$18,000.00. Revenue will be placed in the General Fund, Index #BLD020101, Sub Object #M103.

R-1

Invitation to Bid #529-11014 was opened on June 27, 2012 with one bid received from Ashton Holdings and Development, Fort Lauderdale, Florida, in the amount of \$33,333.00.

Ashton Holdings and Development's intent is to purchase the property to construct a parking lot. The City is selling this lot as is (zoned RS-8). Constructing a parking lot would necessitate a zoning change.

Resource Impact

There is a positive fiscal impact to the city in the amount of \$33,333.

FUNDS AVAILABILTY LOCATION:

FY	FUND	SUB FUN D	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
2012	001	01	GENERAL FUND	EDV010102	REAL ESTATE	N412	SALE OF SURPLUS LAND	33,333.00
TOTAL								33,333.00

Attachment(s)

- Exhibit 1 - Resolution
- Exhibit 2 - Contract and Addendum
- Exhibit 3 - Quit Claim Deed

Prepared By: AnnDebra Diaz, Procurement Specialist II

Department Director: Phil Thornburg

Finance Director Certification: _____

PH-1

Staff recommends the City Commission adopt a resolution (Exhibit 5) accepting the offer of \$14,000 from the City of Fort Lauderdale Housing Authority for the purchase of the two vacant parcels of City owned property, located at the NW corner of NW 7 Street and NW 14 Avenue and 637 NW 10 Terrace and authorizing execution of the (i) the Contract and Addendum for Purchase and Sale (Exhibit 6), (ii) the quit claim deed of conveyance (Exhibit 7) and (iii) any and all documents necessary or incidental to consummating the sale and conveyance of the two parcels.

Resource Impact

There is a positive fiscal impact to the city in the amount of \$14,000 to be deposited into Fund 001, Subfund 01, EDV010102-N412 Real Estate – Sale of Surplus Property.

Revenue deposit only, \$14,000 to be deposited into EDV010102-N412

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
001	01	General	EDV010102	Real Estate	N412	Sale of Surplus Property	14,000.00

Attachments

- Exhibit 1 - Broward County Property Appraiser Sheet
- Exhibit 2 – Quit Claim Deeds to City
- Exhibit 3 – Resolution from 07.10.2012
- Exhibit 4 – City Charter Section 8.02
- Exhibit 5 – Resolution
- Exhibit 6 – Purchase/Sale Contract & Addendum
- Exhibit 7 – Quit Claim Deed to HACFL

Prepared By: Stacey Daley

Department Director: Phil Thornburg, Director, x5348

Finance Director Certification:

PH-4

This public hearing is in compliance with 49 USC Section 5307(d)(1) and Section 2.1.3 of the Interlocal Agreement with Broward County that states that a public hearing shall be held prior to the discontinuing or adjustment of any transit route in its entirety. This recommendation takes all Federal Title VI regulations into account.

Resource Impact

This action will not impact the City's fiscal budget as there are no City funds currently contributing towards the HACFL bus service; however, the City will no longer apply for or receive pass-through Broward County Community Bus funds for this service. The City has not provided bus funding to the HACFL in the past.

Attachment(s)

- Exhibit 1 Interlocal Agreement with Broward County
- Exhibit 2 Letter from HACFL
- Exhibit 3 Notice of Public Hearing sent to Broward County

Prepared By: Kevin C. Walford, Transportation Planner

Department Director: Diana Alarcon, Transportation & Mobility

Finance Director Certification: _____

0-2

City of Fort Lauderdale
City Commission Agenda Item

#12-1228

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Paul G. Bangel, Senior Assistant City Attorney

THRU: Harry A. Stewart, City Attorney

DATE: August 21, 2012

TITLE: Charter Amendment – Articles III and VII – Government of City and Form of Governments and Elections

Recommendation

It is recommended that the City Commission approve on second reading an ordinance amending the City Charter, Articles III and VII – Government of City and Form of Government and Elections, conditioned on approval by the voters.

Background

If the corresponding ballot question is approved by the voters, the proposed ordinance would amend the Charter of the City of Fort Lauderdale, Florida, to eliminate municipal primary elections, to provide for municipal elections in conjunction with the general election in November 2018 and every four years thereafter, to provide for the mayor and commissioners elected in 2015 to serve until their successors are elected and qualified in the November 2018 election, and to provide for four-year terms for the mayor and commissioners beginning in 2018.

The City Attorney recommends the introduction of the ordinance on second reading.

Resource Impact

There is a fiscal impact to the City in the amount of \$52,782.00. Funding for this item is available in FY 2013 budget in General Funds, Fund 01, Subfund 001, Index CLK010201, Subobject 3199 – other professional services

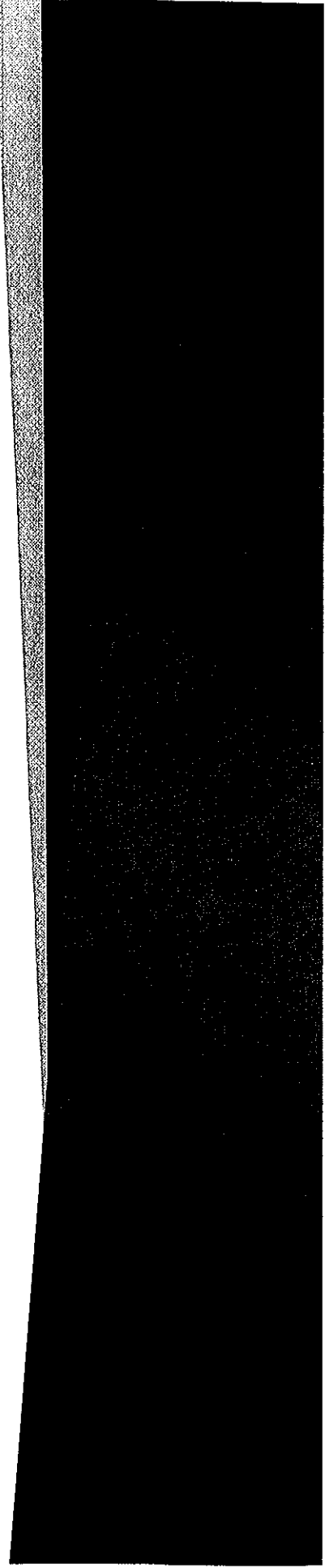
AVAILABLE:								
FY	FUND	SUB FUND	FUND NAME	INDEX#	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2013	001	01	General Fund	CLK010201	Elections	3199	Other Professional Services	\$52,782.00
							total	\$52,782.00

CIT-3

CIT-3

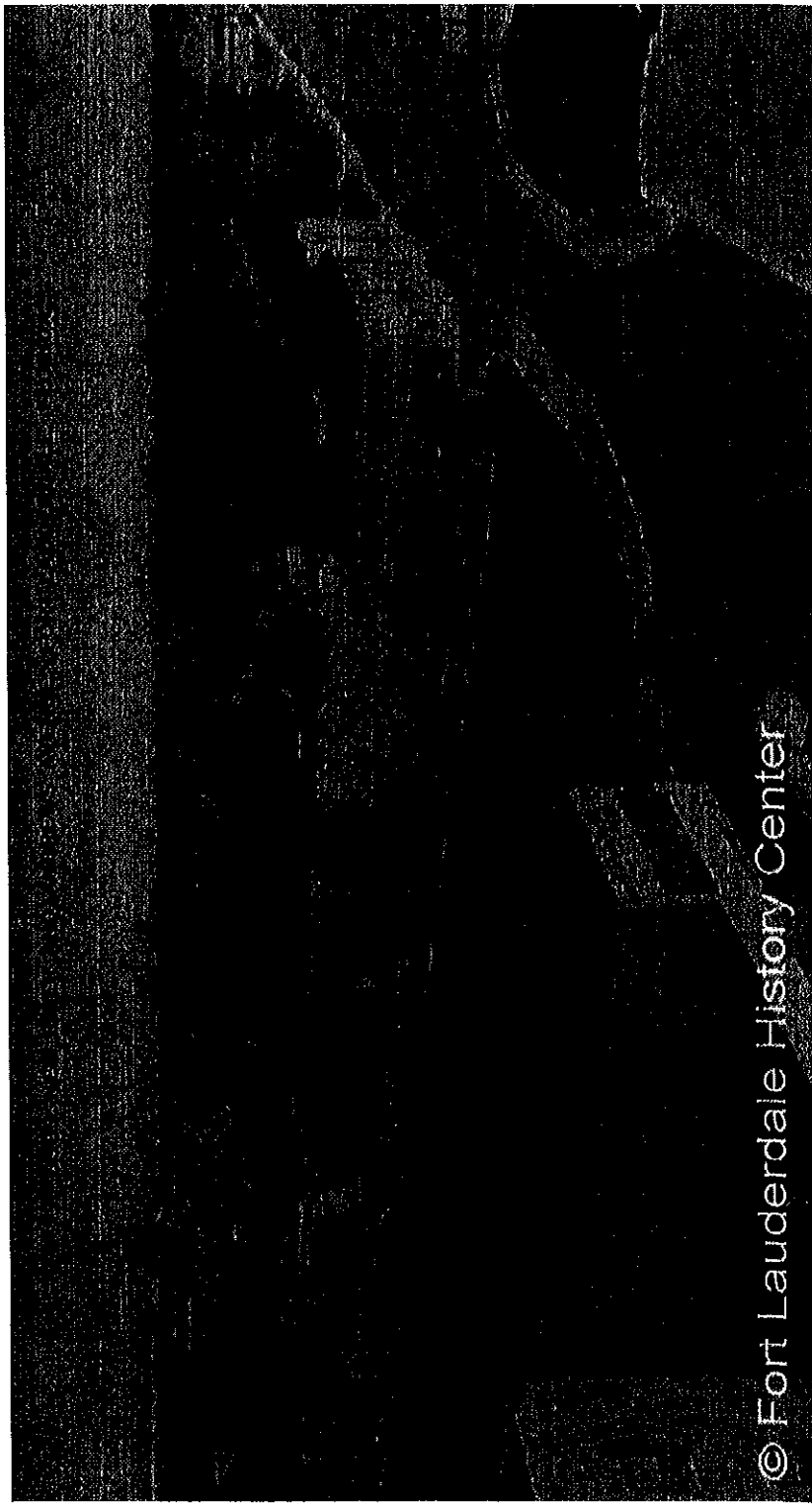
Tree Preservation in the City of Fort Lauderdale

L. Thomas Chancey
Landscape Architect
Tree Preservationist
Consulting Arborist



Memory Lane

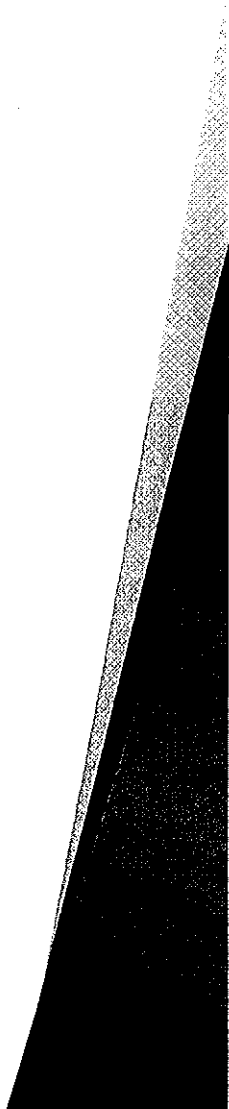
Photo credit: Fort Lauderdale History Center



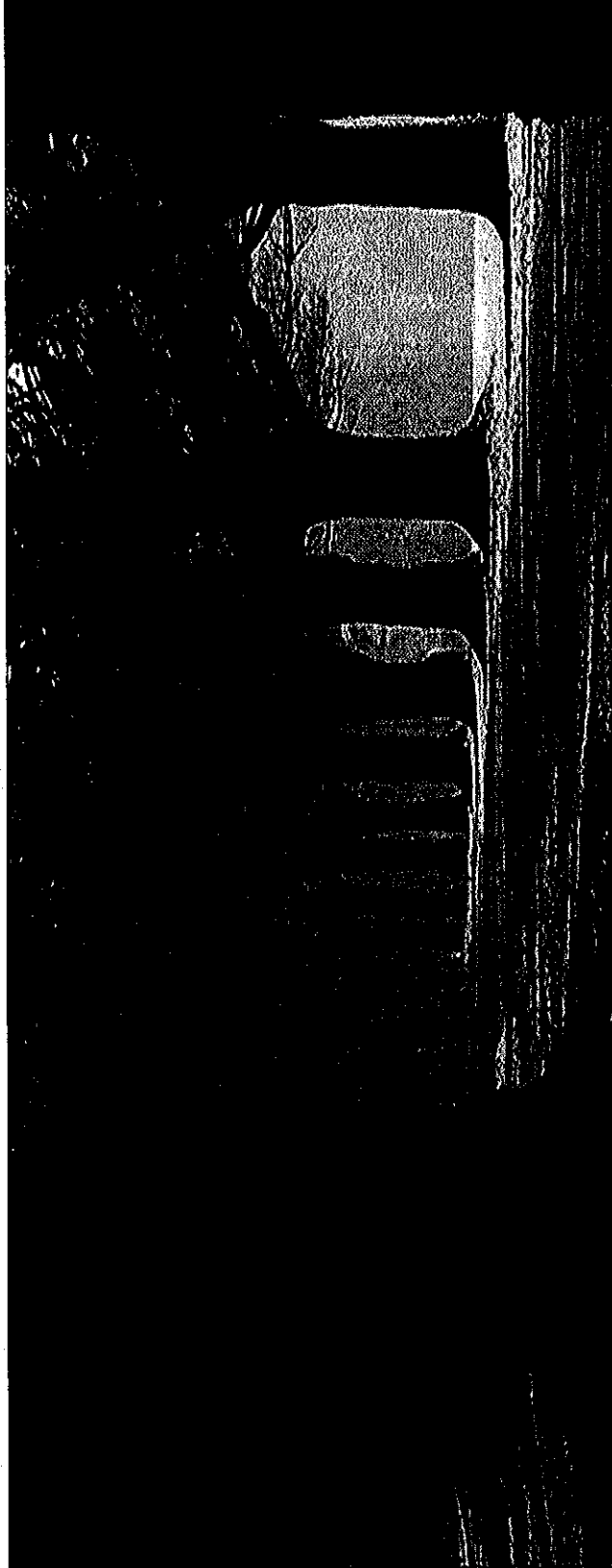
© Fort Lauderdale History Center



Las Olas Boulevard (1912)
Courtesy of Fort Lauderdale Historical Society



Benefits of Trees

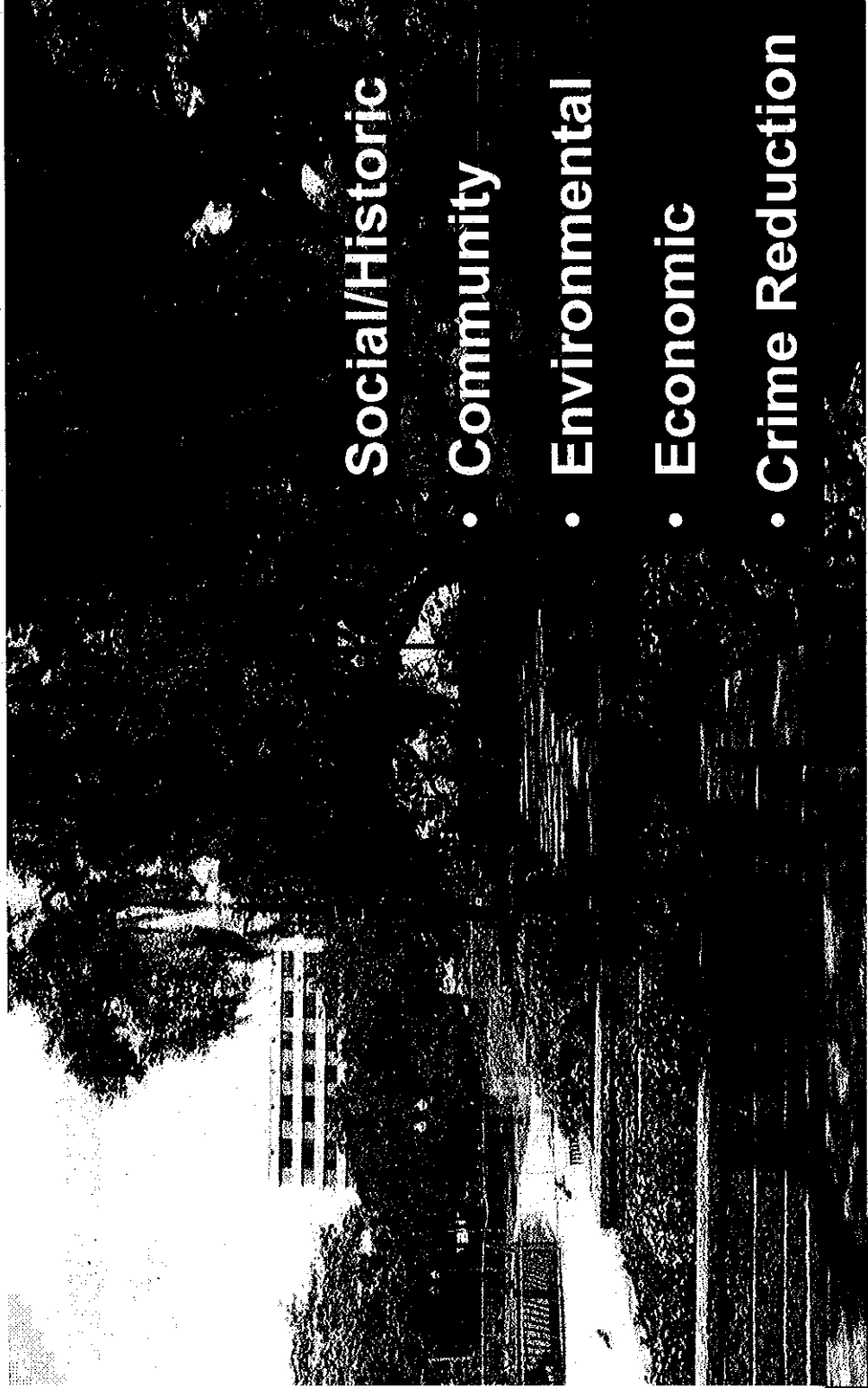


"The best friend on earth of man is the tree. When we use the tree respectfully and economically, we have one of the greatest resources on earth."

—Frank Lloyd Wright

ISA Credit

Urban Benefits of Trees



Social/Historic

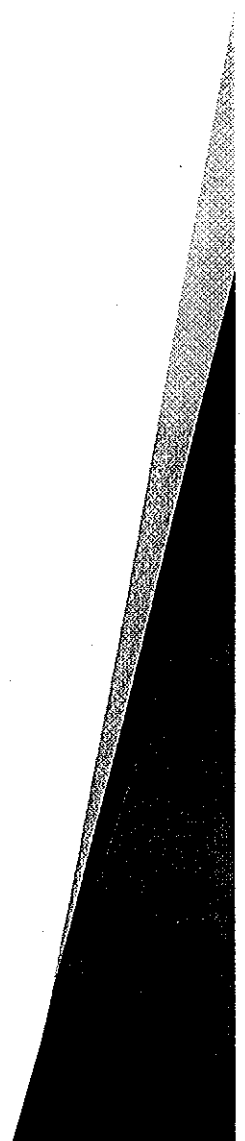
- **Community**
- **Environmental**
- **Economic**
- **Crime Reduction**

Las Olas

1 Shopping Destination Fort Lauderdale

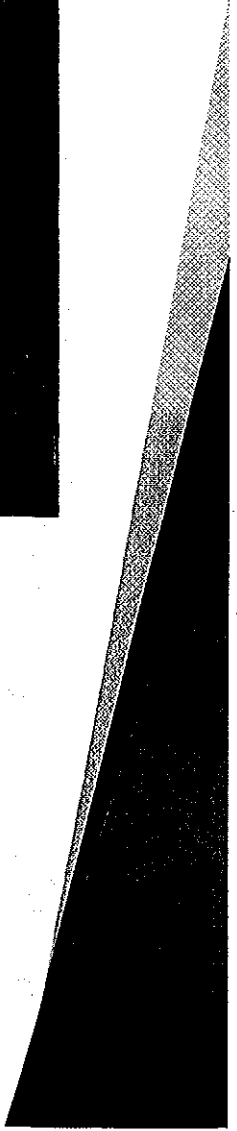
Trip Advisor

- ▶ Tree-lined business and retail districts encourage patrons to linger and shop longer.



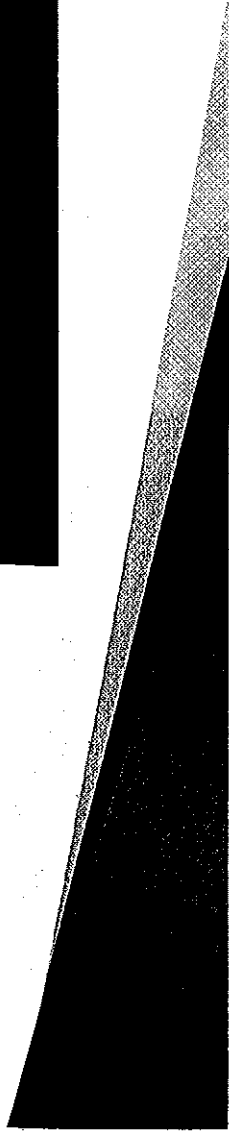
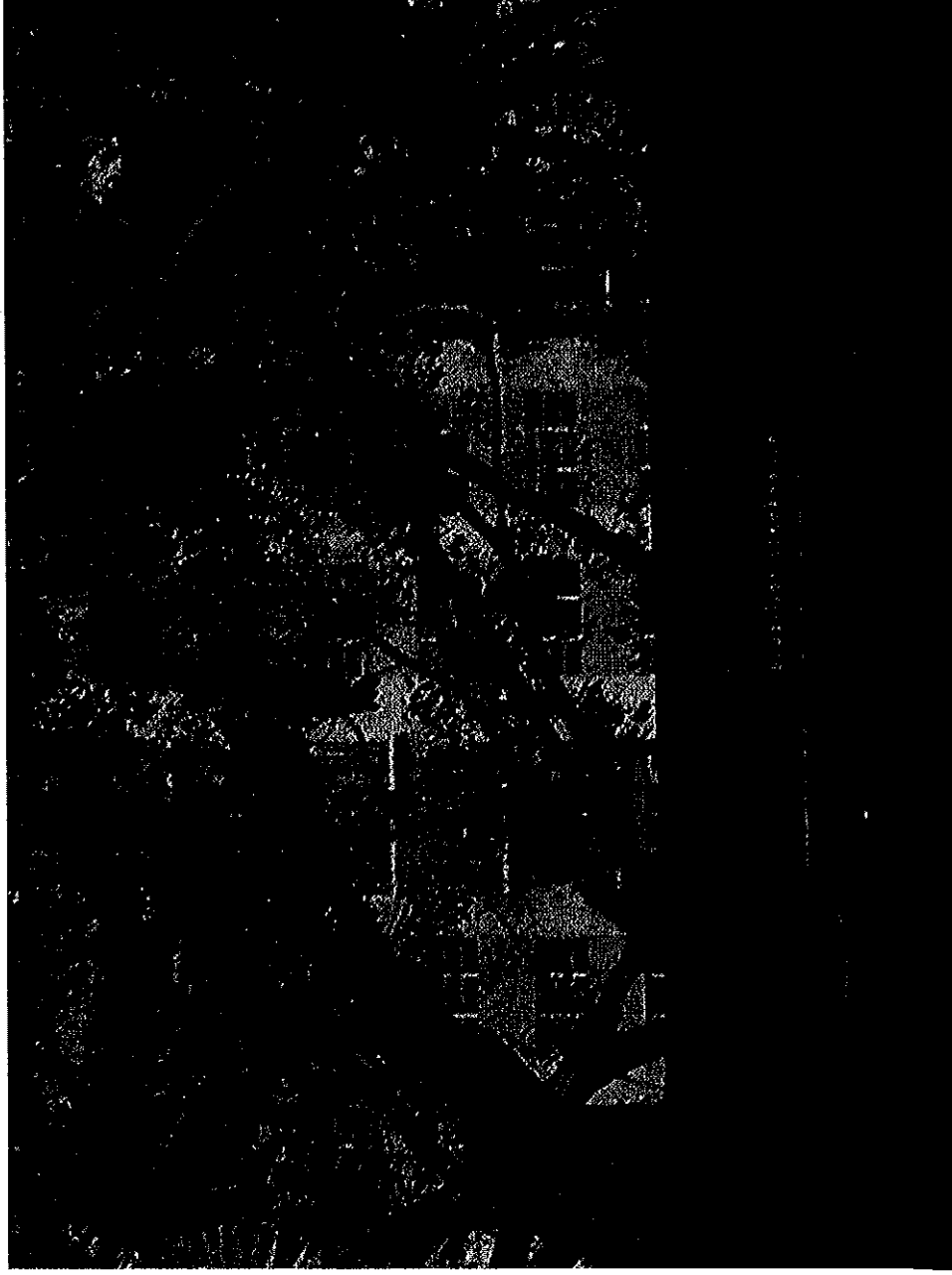
Riverwalk Live Oak

**Tree-lined
Recreation
Areas for
entertainment
and events
provide shade
and beautify the
surroundings**



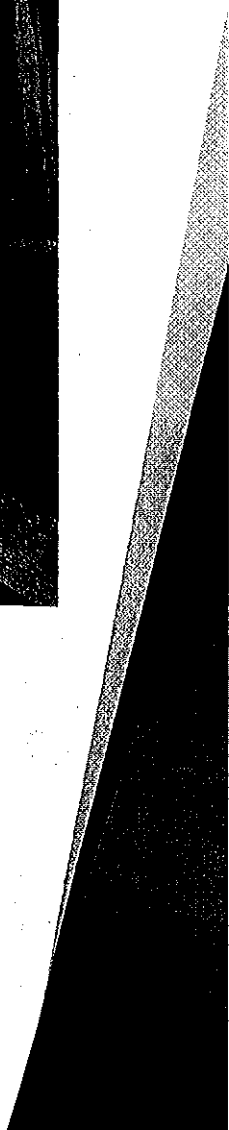
Tree Covered Restaurants Thrive

**Trees
enhance
economic
stability in a
community by
attracting
business and
tourists.**



Colee Hammock Park

Cities with
forested parks,
streets, and
neighborhoods
help
businesses
recruit and
retain
employees

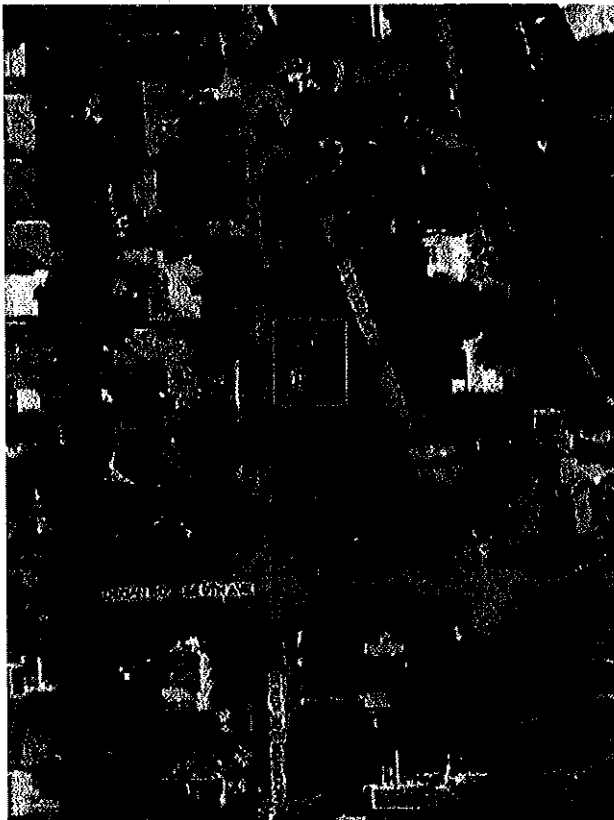


Desirable Tree Lined Communities

▶ Victoria Park



Rio Vista Tree Canopy

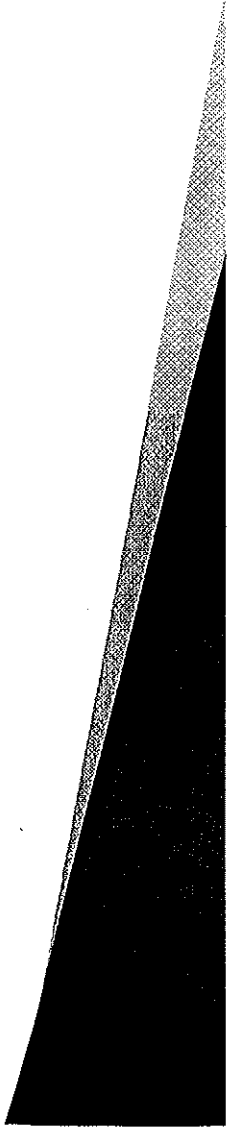
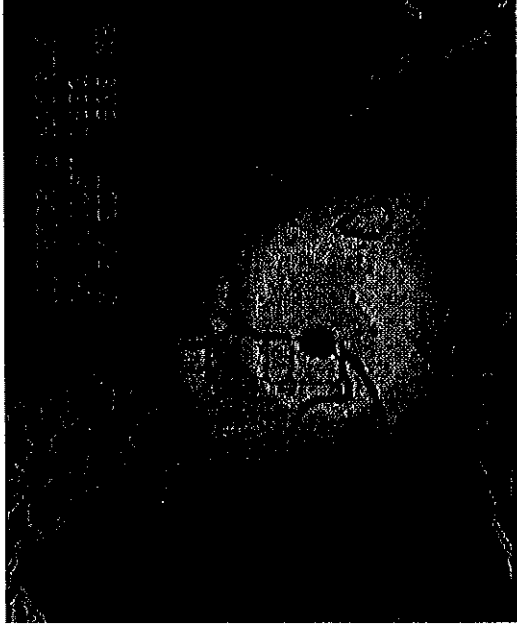


Our Tree Canopy

The Goal=40% Tree Canopy

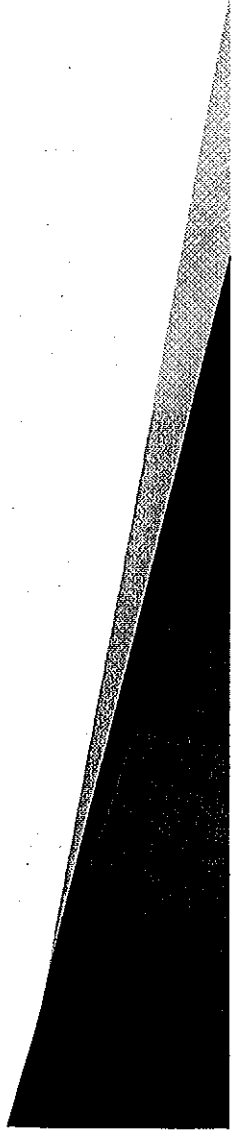
City of Fort Lauderdale

- ▶ 1971 5.1 %
- ▶ 1981 15.2%
- ▶ 1987 17.7%
- ▶ 1995 19.8 %
- ▶ 2012 20.6 %



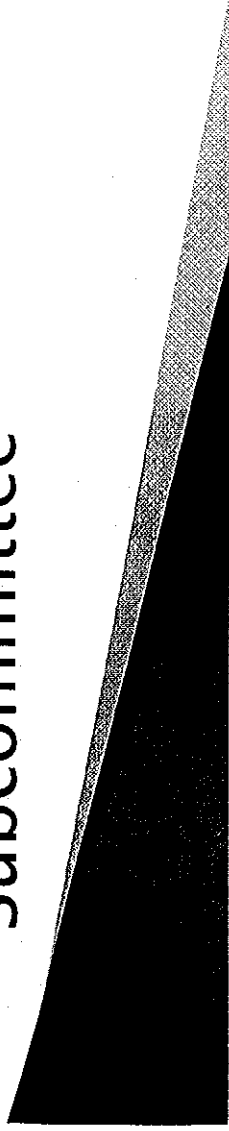
More Pests And Diseases...

- ▶ 1970's Lethal Yellowing
- ▶ 1995 Citrus Canker
- ▶ 2009 Ficus Whitefly
- ▶ 2011 Spiraling Whitefly
- ▶ 2012 Nesting Whitefly
- ▶ **Man.....ongoing**



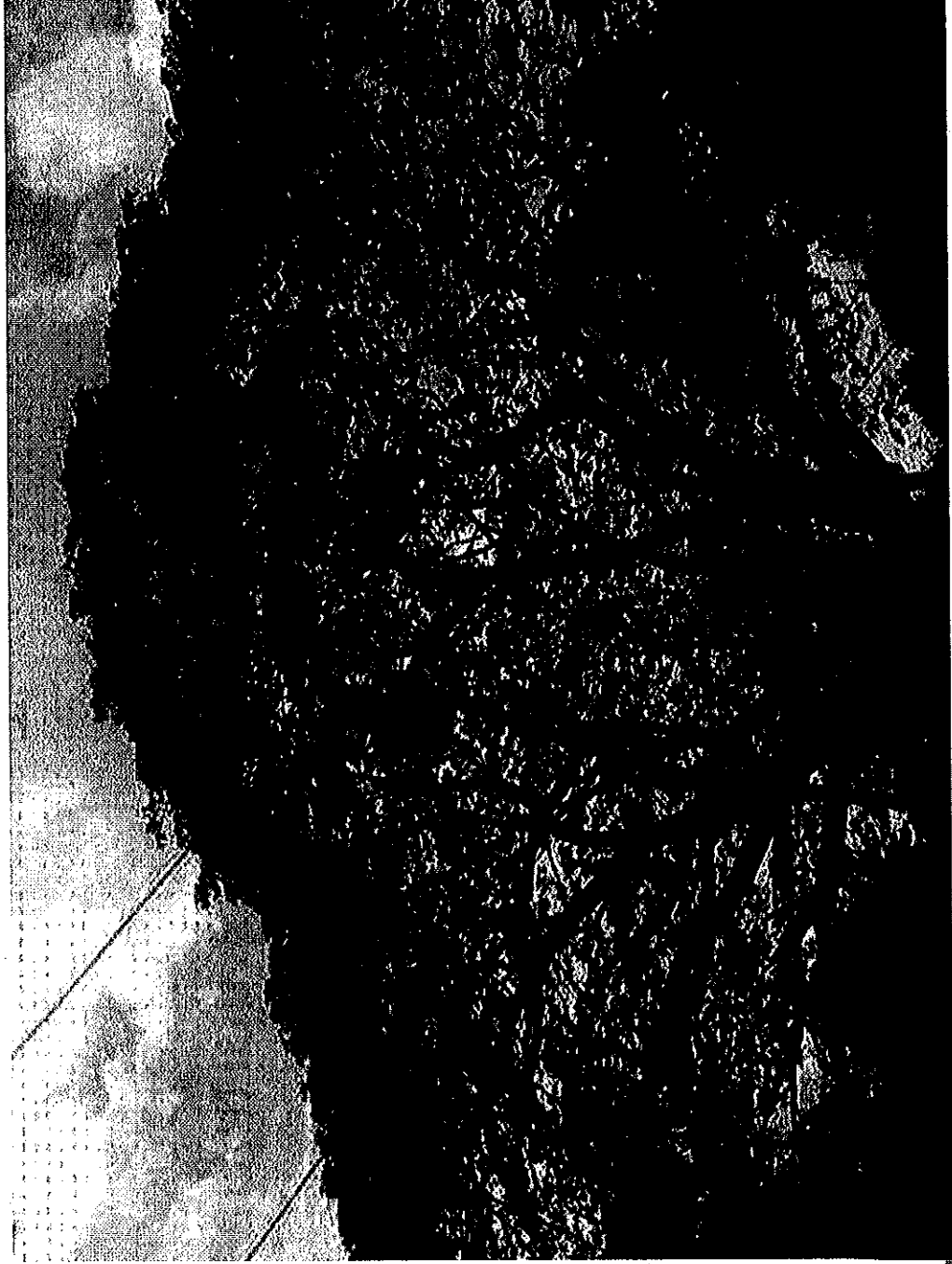
Community Volunteers

- ▶ The Community Appearance Board is a City Advisory Board that was established by the Fort Lauderdale City Commission in 1978
- ▶ Historic Tree Hunt 1991
- ▶ Tree Preservation Review Committee
Historical Society
- ▶ Utilities Advisory Board; Tree Preservation Subcommittee

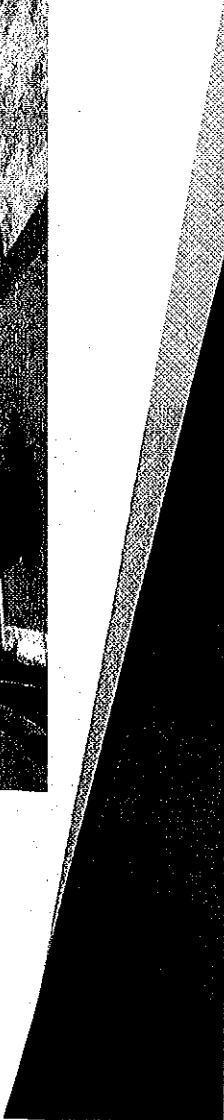


Protected Rain Tree New River

Samanea saman (Monkey Pod)



Protected Oak Stranahan House

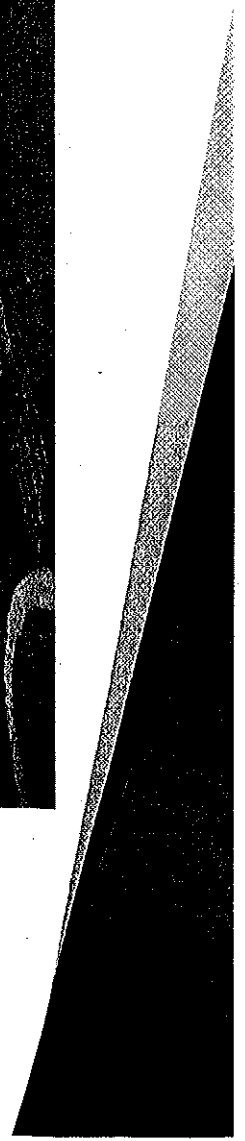


Protected Baobab Trees River Walk

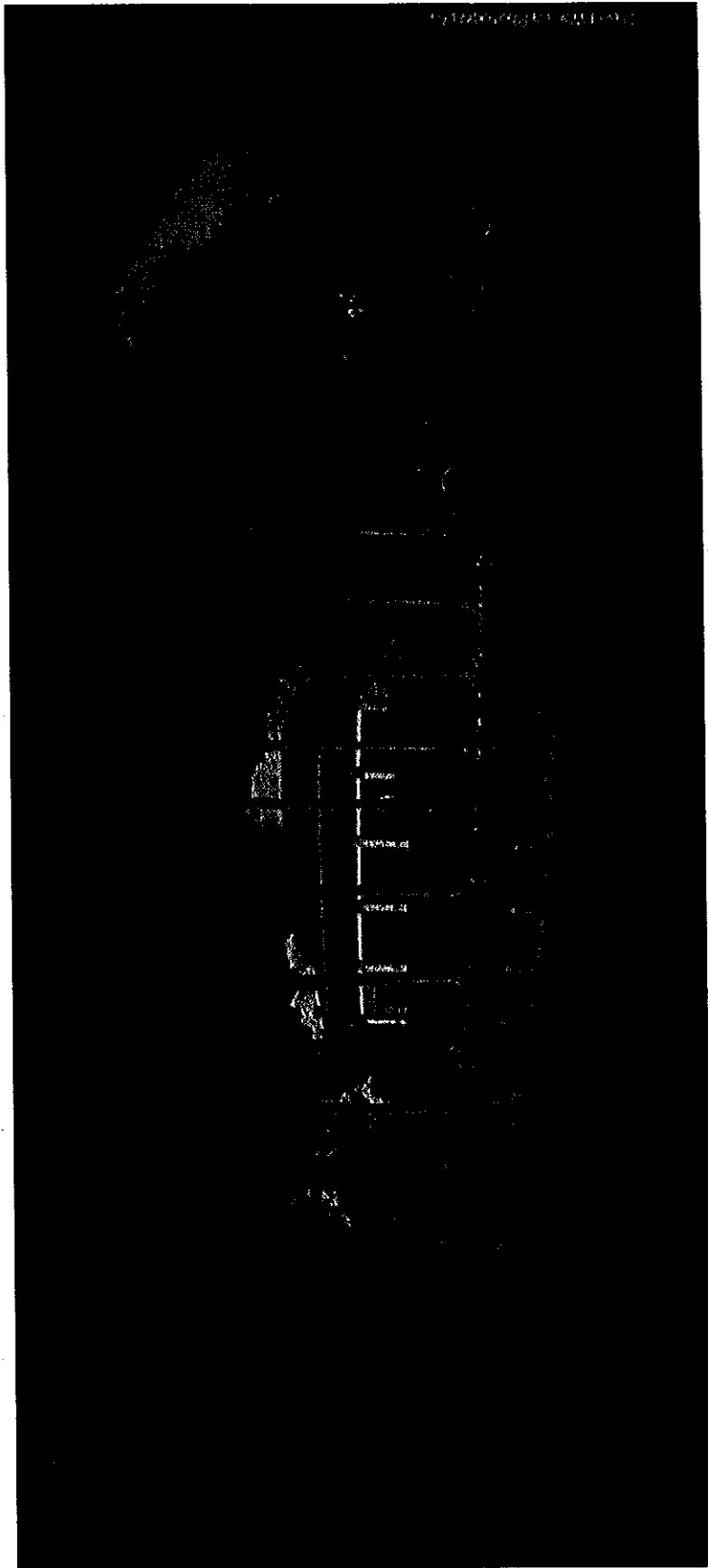


Bryan Home

Protected Tamarind Tree Broward Blvd.

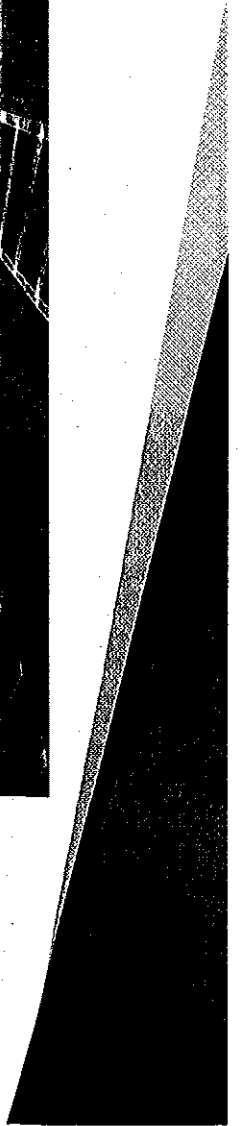


Protected Banyan Tree Bonnet House



Mrs. Bartlett's Favorite Monkey Tree

Protected Kapok Tree Kingdom Hall Progress and Preservation Can Co Exist!



Protected Tabebuia Tree Las Olas Historic Annie Beck Tree

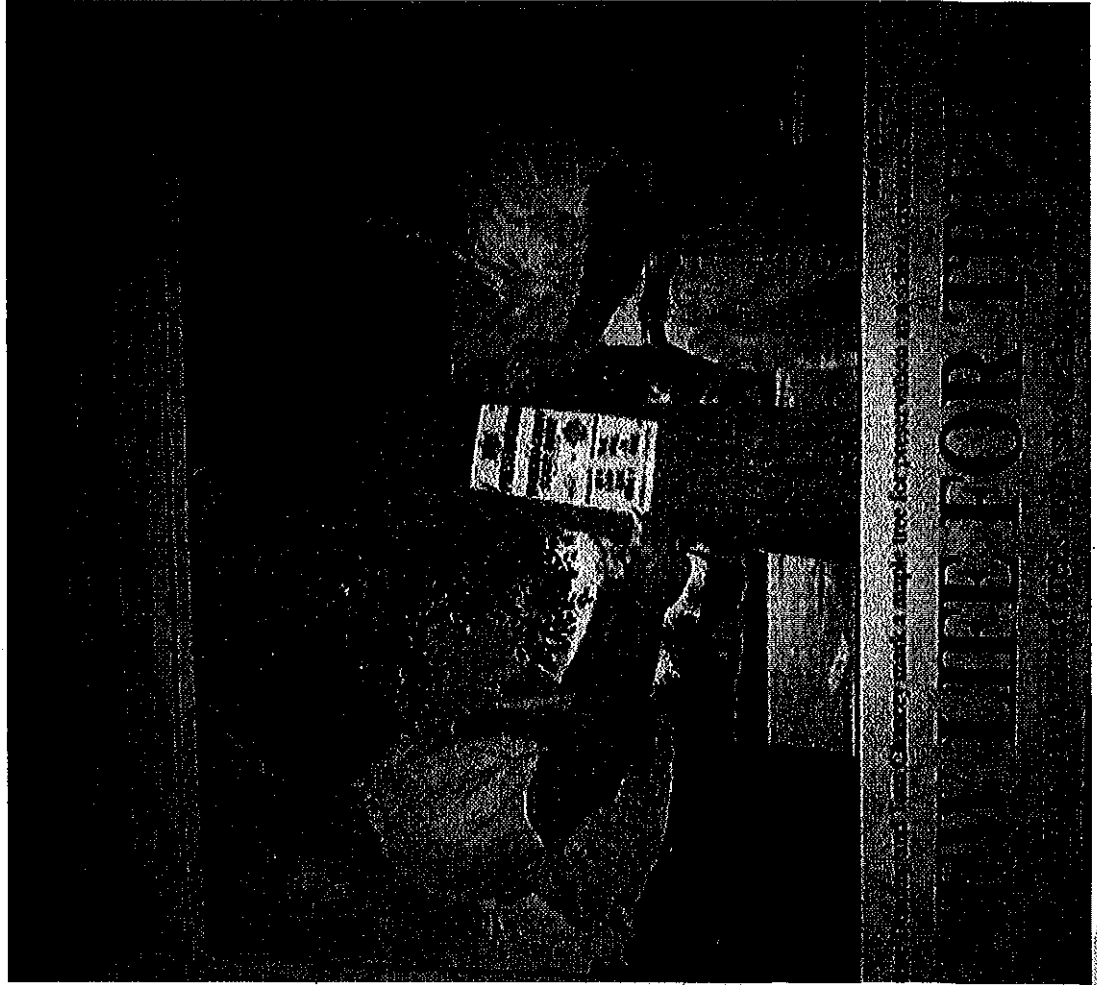


School Board Saves Trees

Tree Bank 
Save a Tree Program

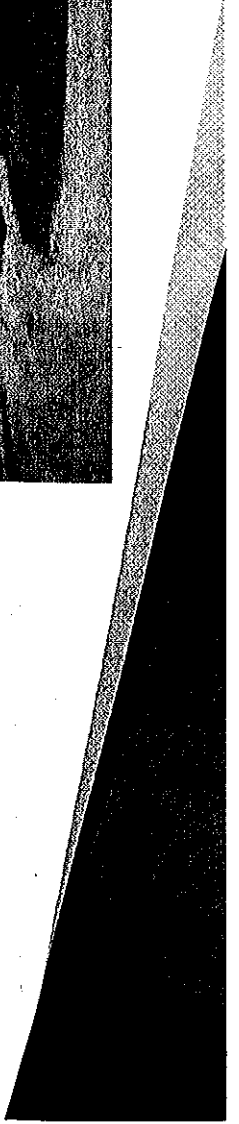
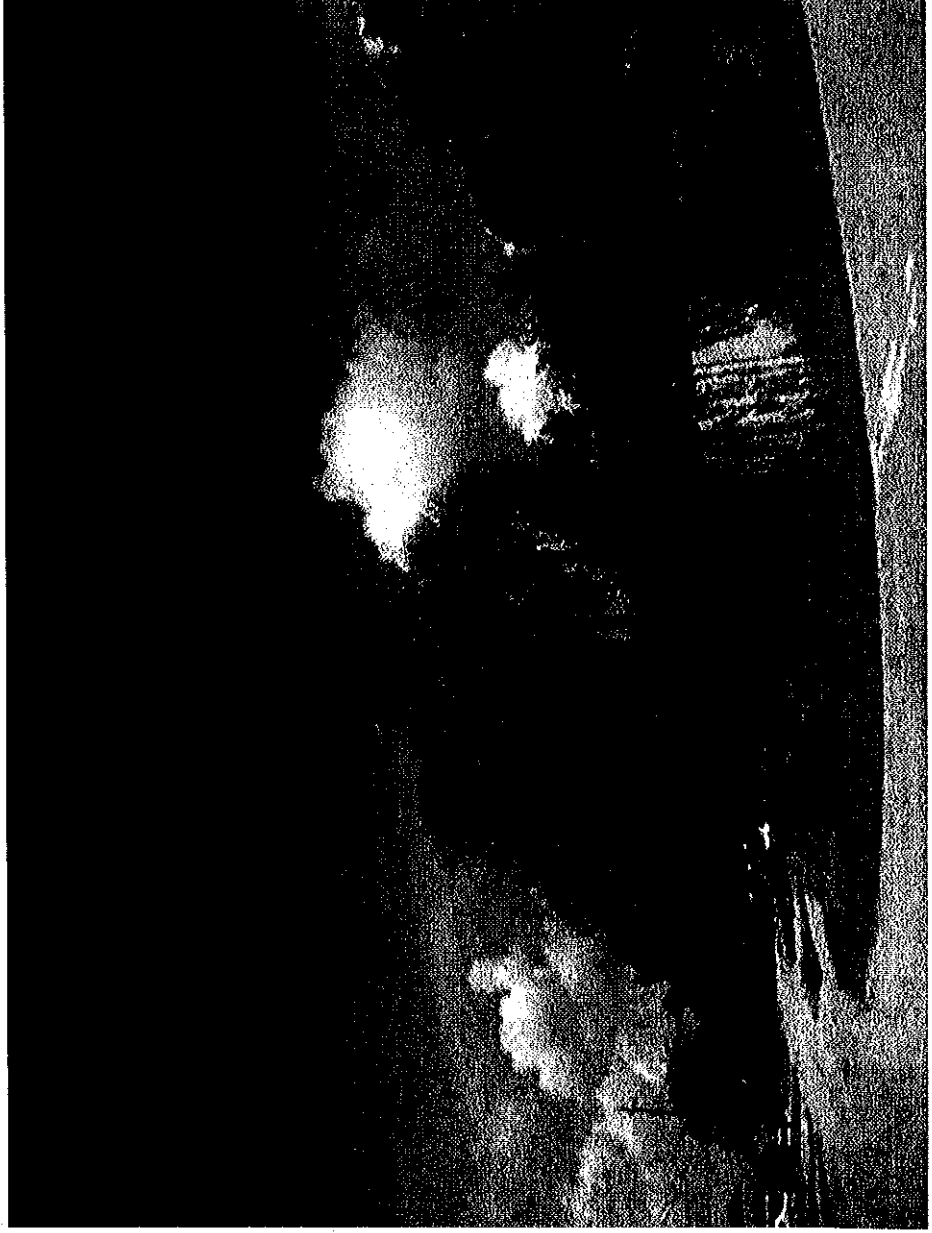


South Side School



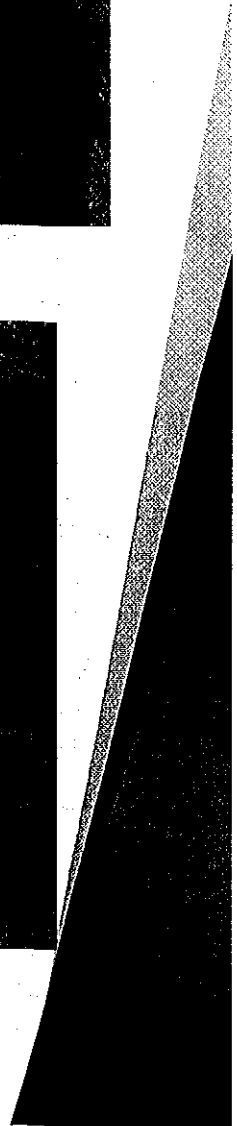
Riverside Renaissance

Tree Bank 
Save a Tree Program



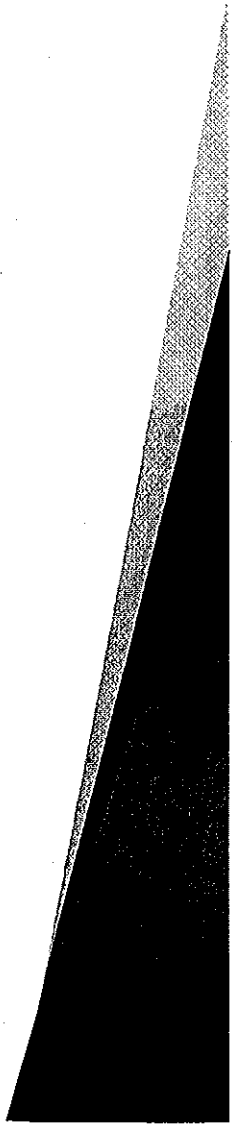
Rainbow Gum Eucalyptus

Tree Bank 
Save a Tree Program

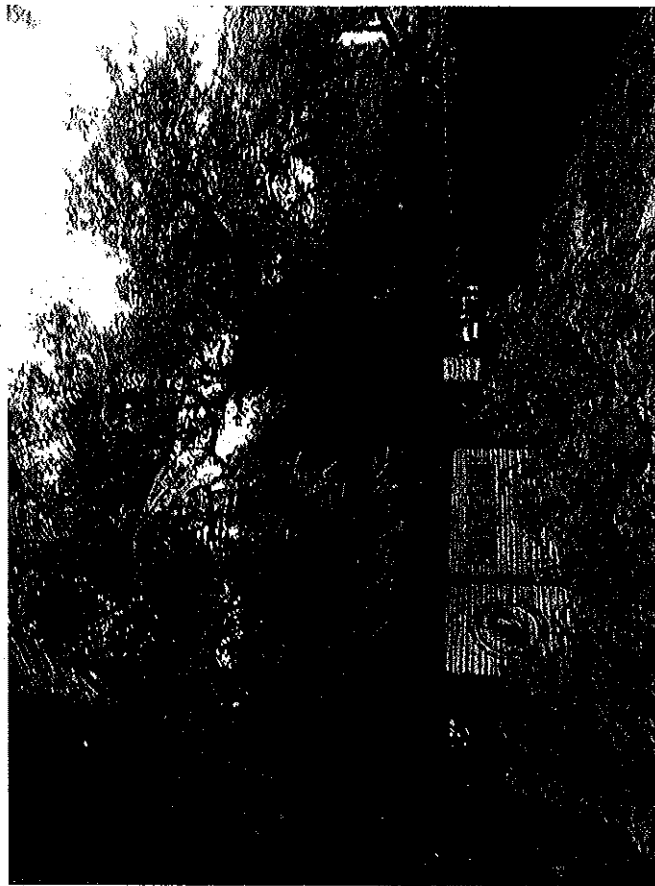


Community Outrages

- ▶ Historic Oak Trees, Riverfront Smoker Park
- ▶ Annie Beck Tree, Las Olas
- ▶ Oak Trees, Colee Hammock Neighborhood
- ▶ Banyan Tree, Victoria Park
- ▶ Mahogany Trees, Fort Lauderdale High School
- ▶ Oak Trees, East Las Olas Parking Lot



Smoker Park

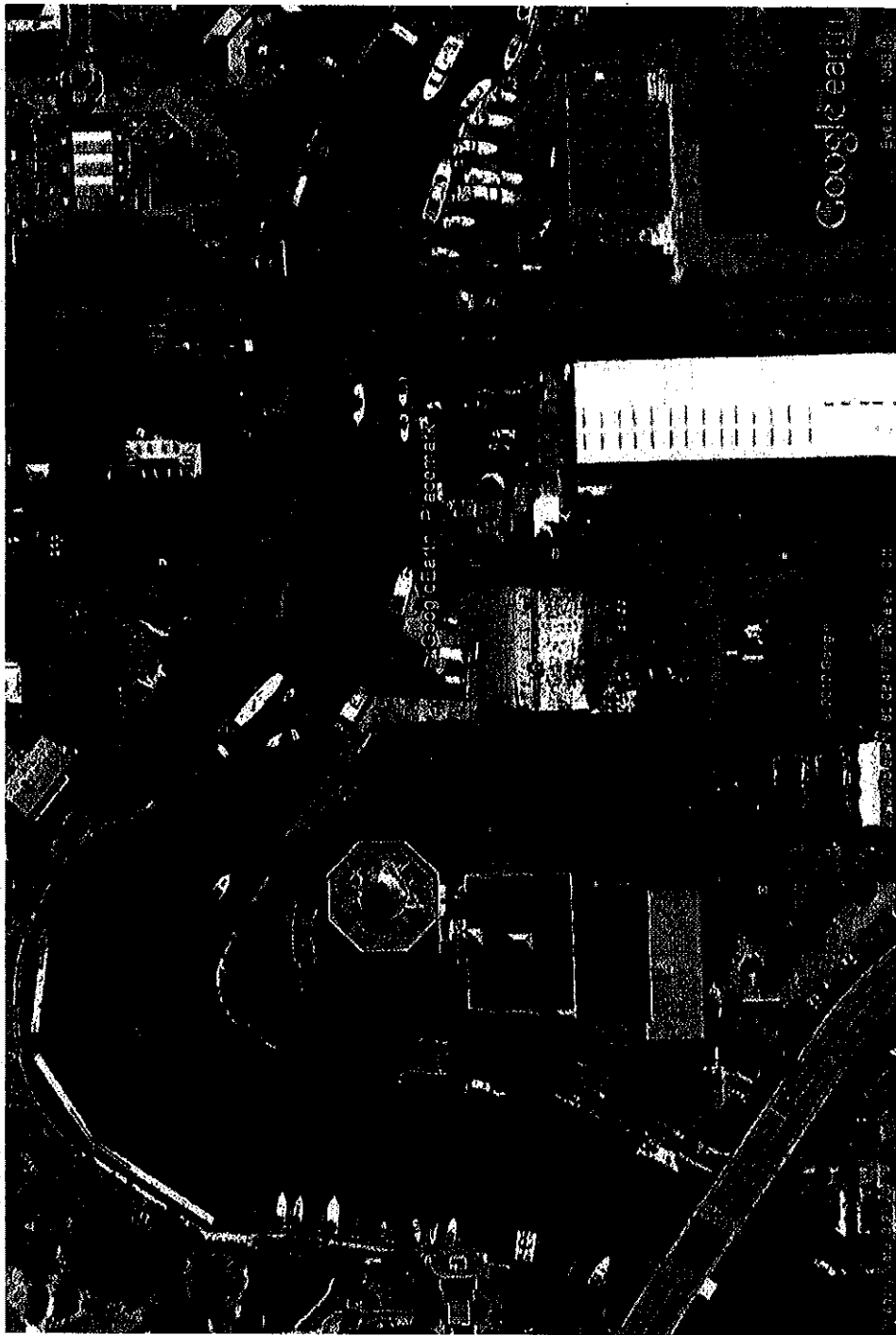


Rain Tree Tarpon River 2004

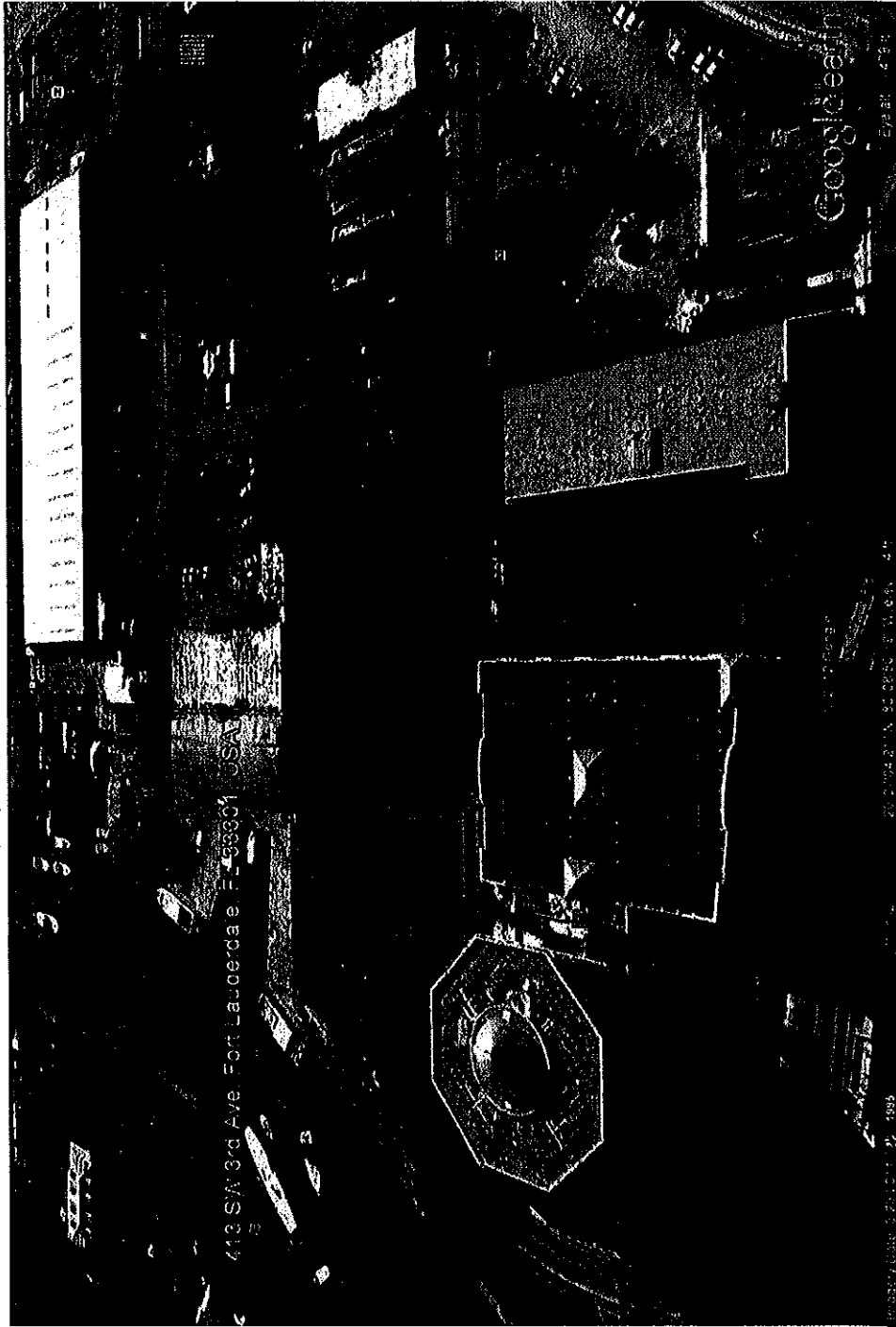
The tree has a crown spread of 120' with a trunk diameter of 7'



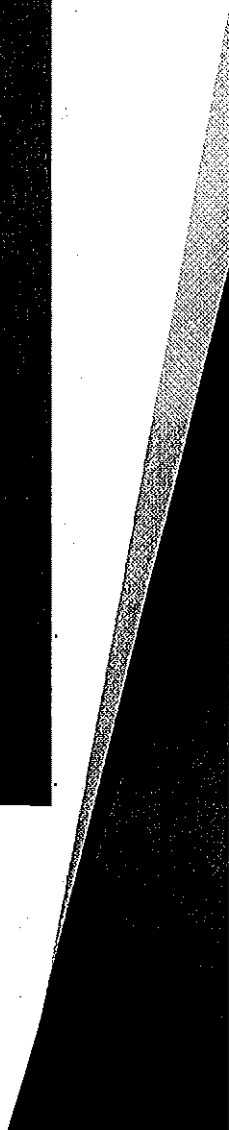
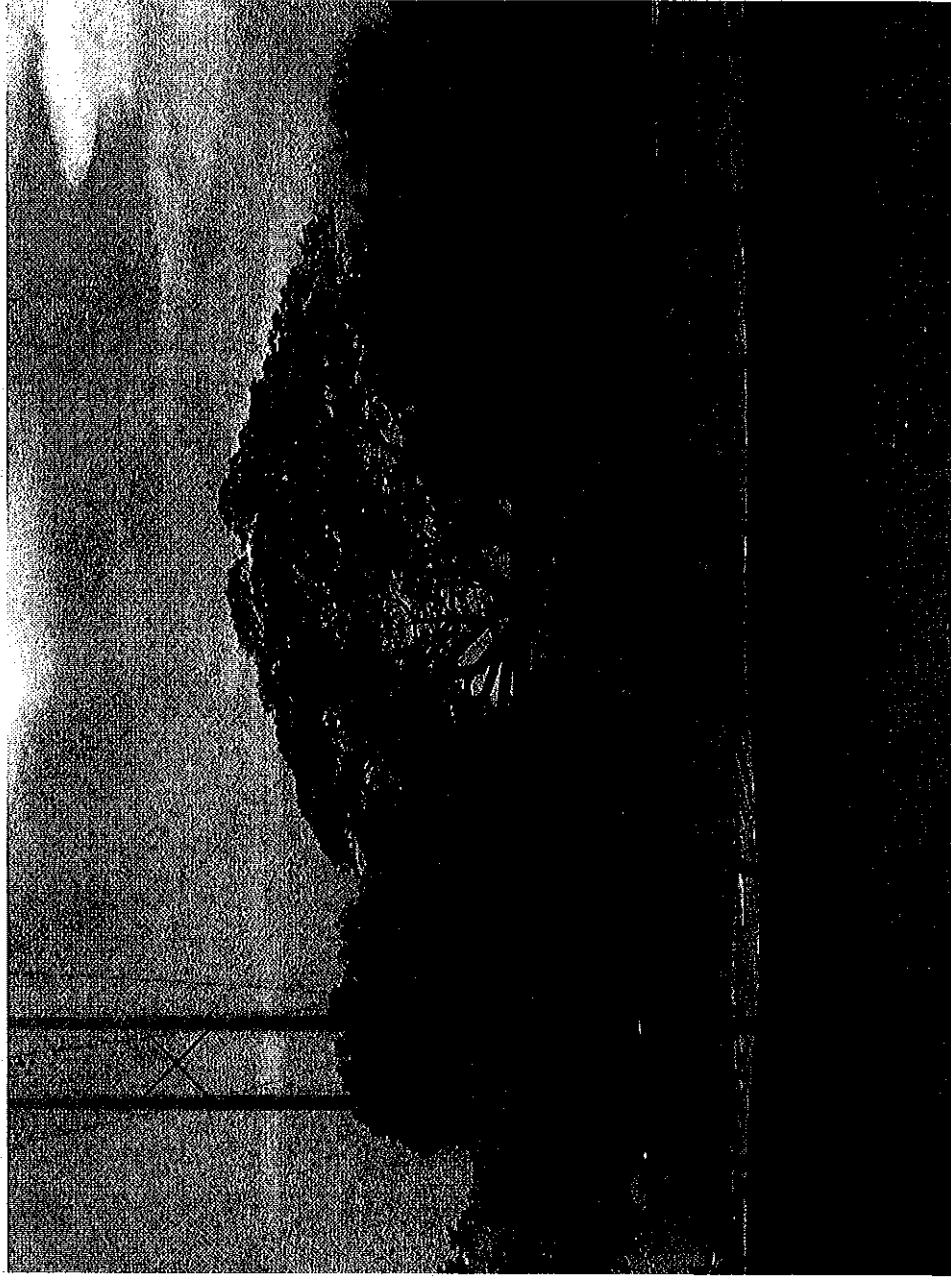
If moved to River would block boat traffic



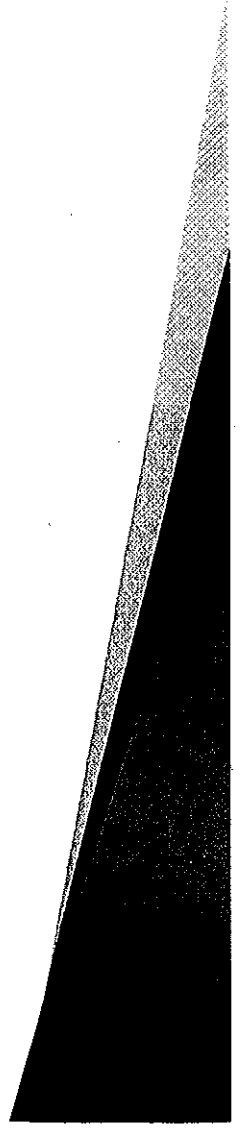
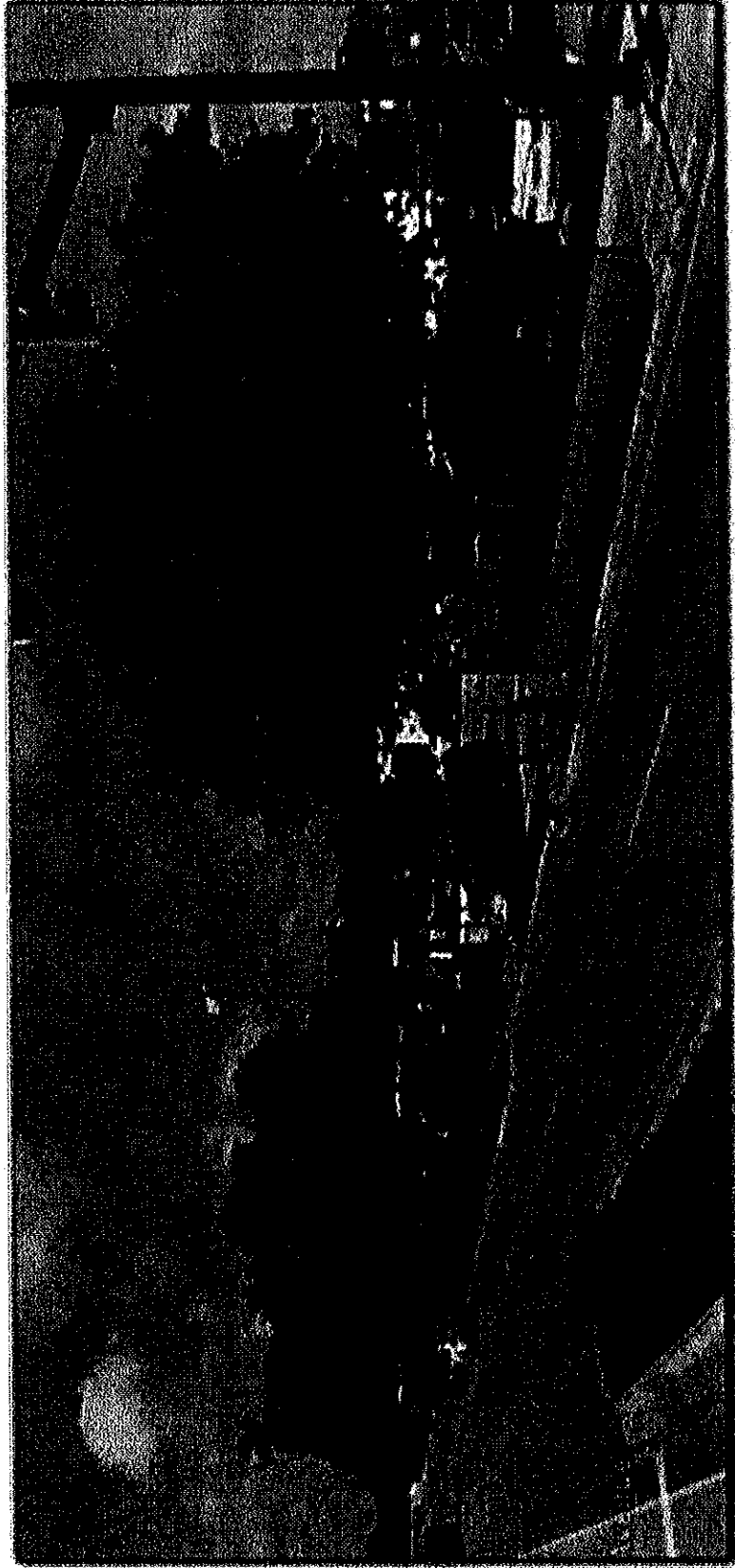
Note size of canopy



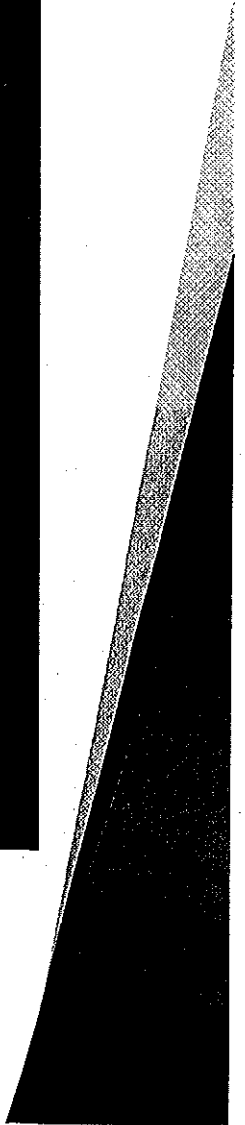
View from River Walk



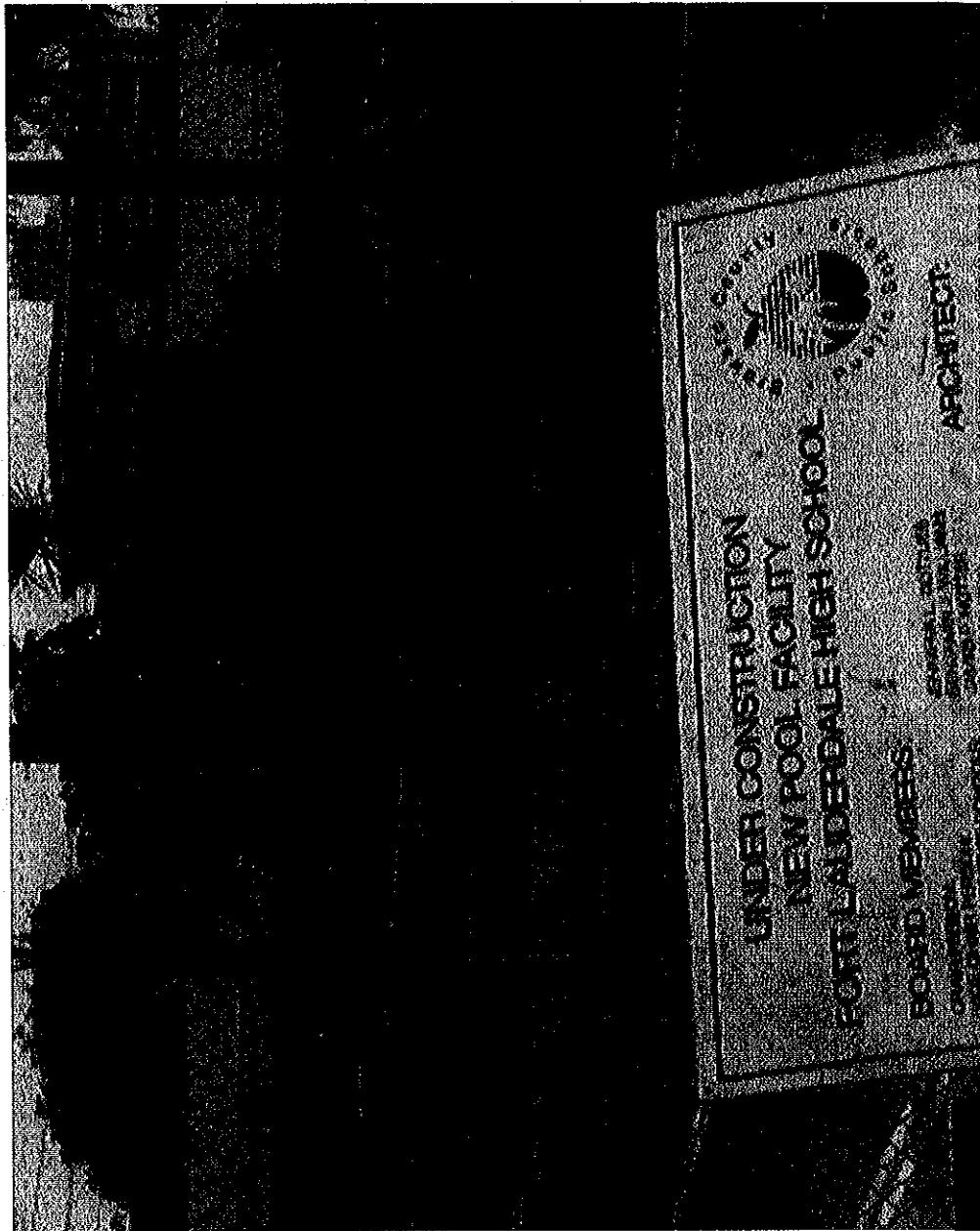
Fort Lauderdale High School



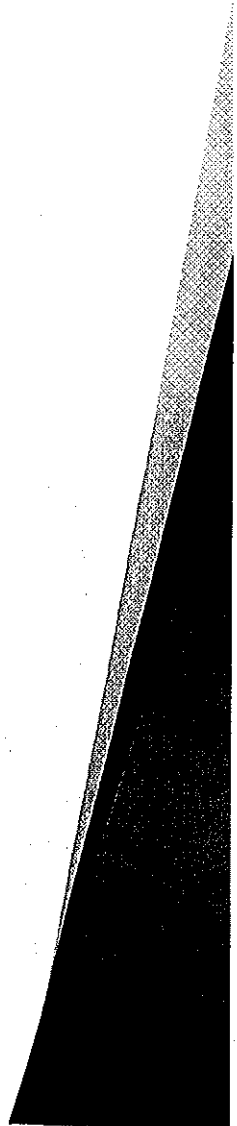
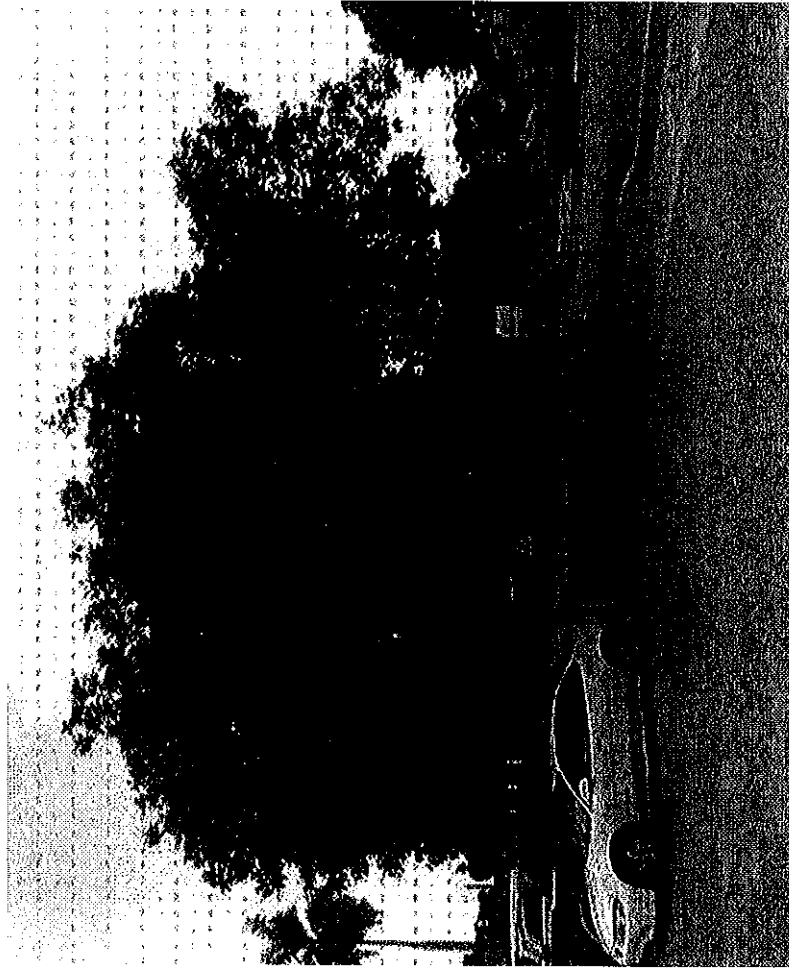
Massacre at Fort Lauderdale H.S.



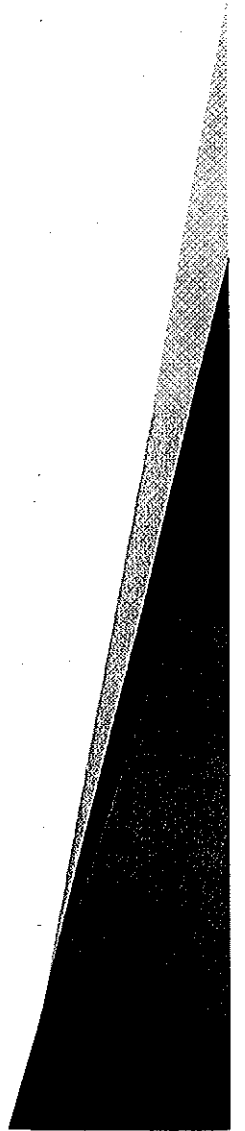
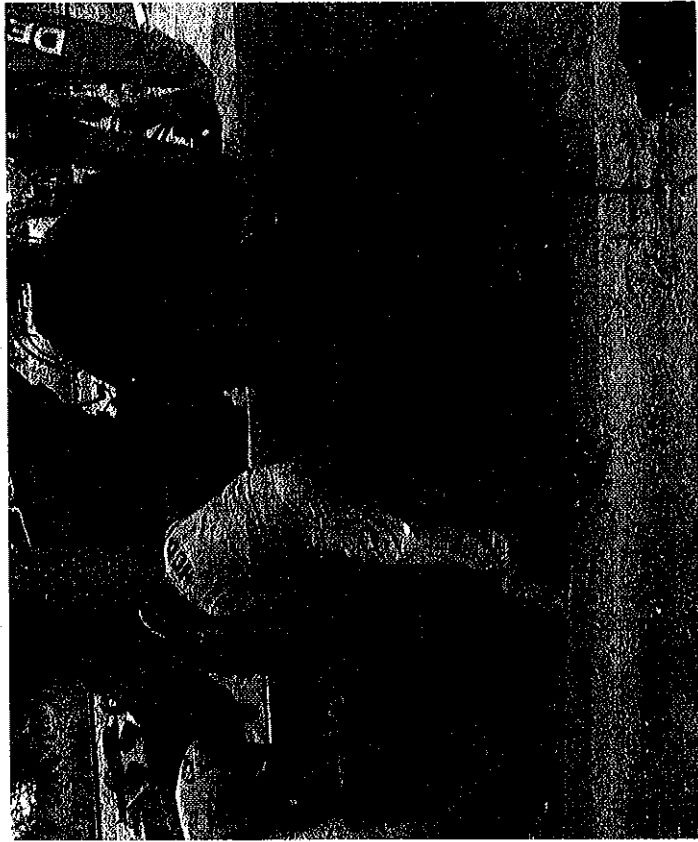
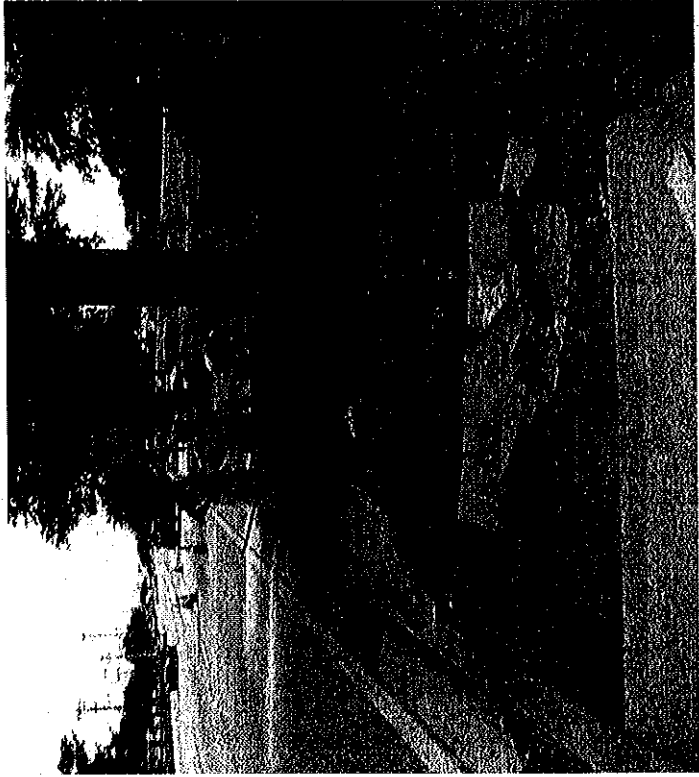
Trees Across the Street



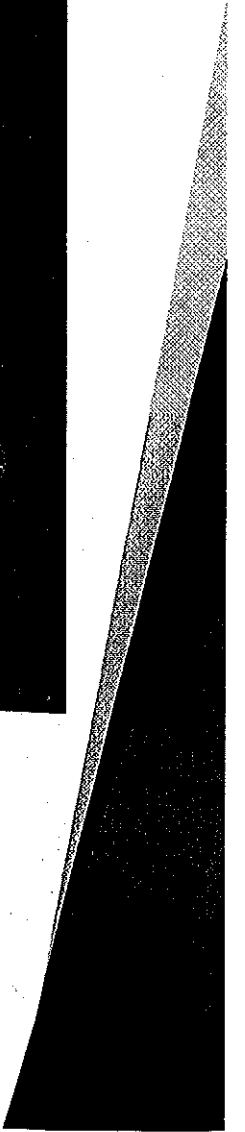
Fort Lauderdale High School



Design Problems

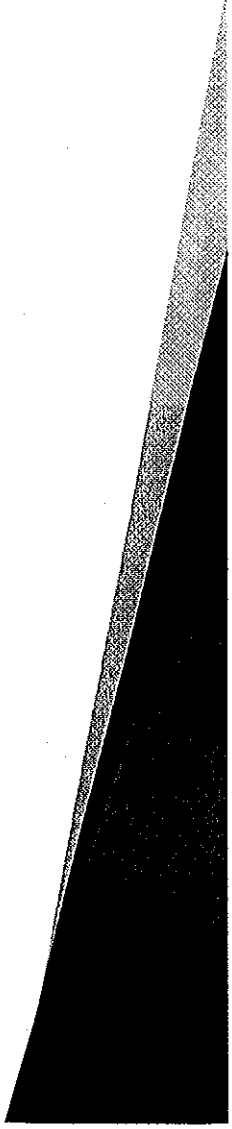


Design Solutions

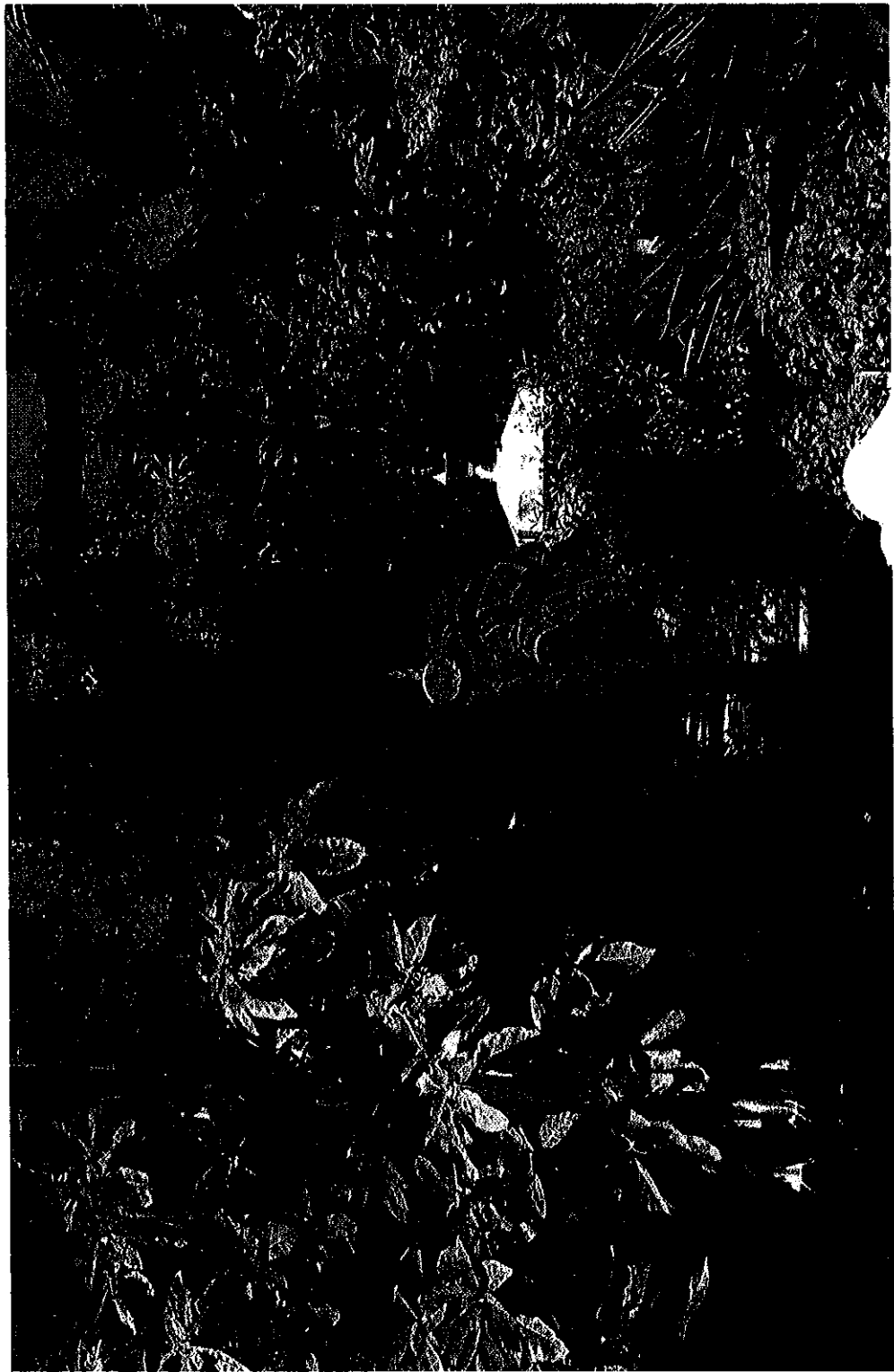


Communication

- ▶ DRC
(Development Review Committee)
- ▶ Consulting Arborist input “before” the approval or denial.
- ▶ Creative design can enhance the site and save worthy trees.
- ▶ In the event trees are designated for “relocation” an appropriate “prep time” per species and size should be determined.



Protect and Save Our Florida



Gettys
Landscapes For Living

CIT-4



Fort Lauderdale Garden Club, Inc.



Glenn F. Bates Garden Center
 Hugh Taylor Birch State Park
 3109 East Sunrise boulevard
 Fort Lauderdale, Florida 33304

www.FLGC.org

954-561-8475

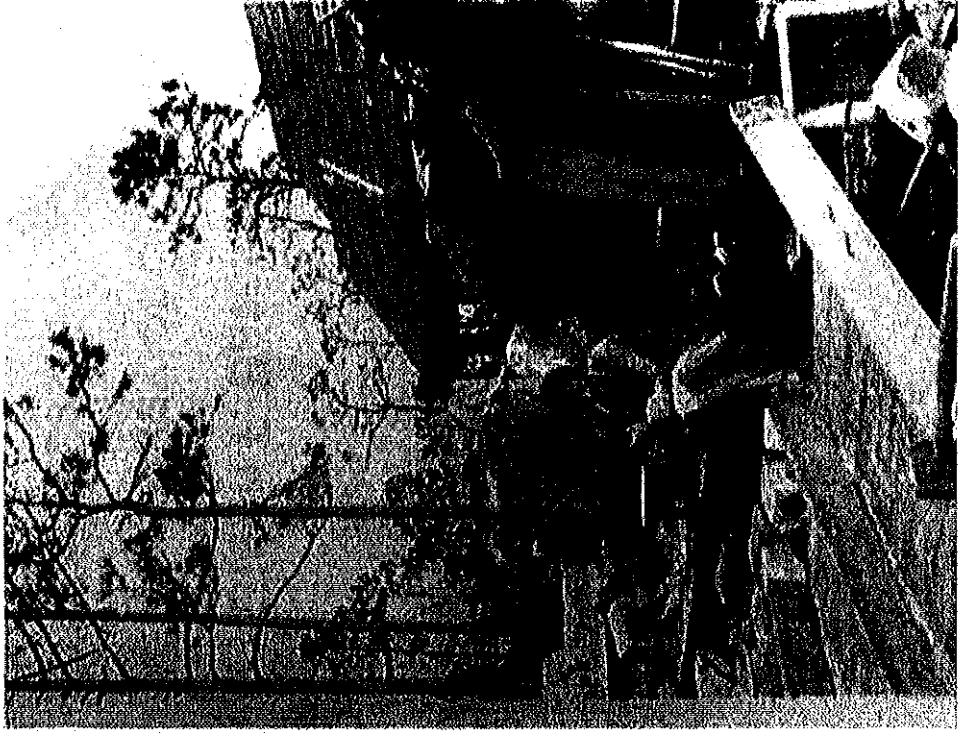
CIT-4

Cleaning up after the Storm of 1926

1921 Fort Lauderdale
Incorporated

1926 Hurricane
"The Big Blow"

1927 Fort Lauderdale
Garden Club Formed



By Stuart McIver Special
to the Sun-Sentinel
September 19, 1993

Fort Lauderdale Garden Club

- 1930 FGC Planted Royal Palms on Las Olas
- 1933 Landscaped Port Everglades with Salt Tolerant Plants
- 1953 Donated 16,000 plants on Federal Highway
- 1964 After Hurricane Cleo, FGC donated 100 trees to the Hugh Taylor Birch State Park Restoration

Community Involvement

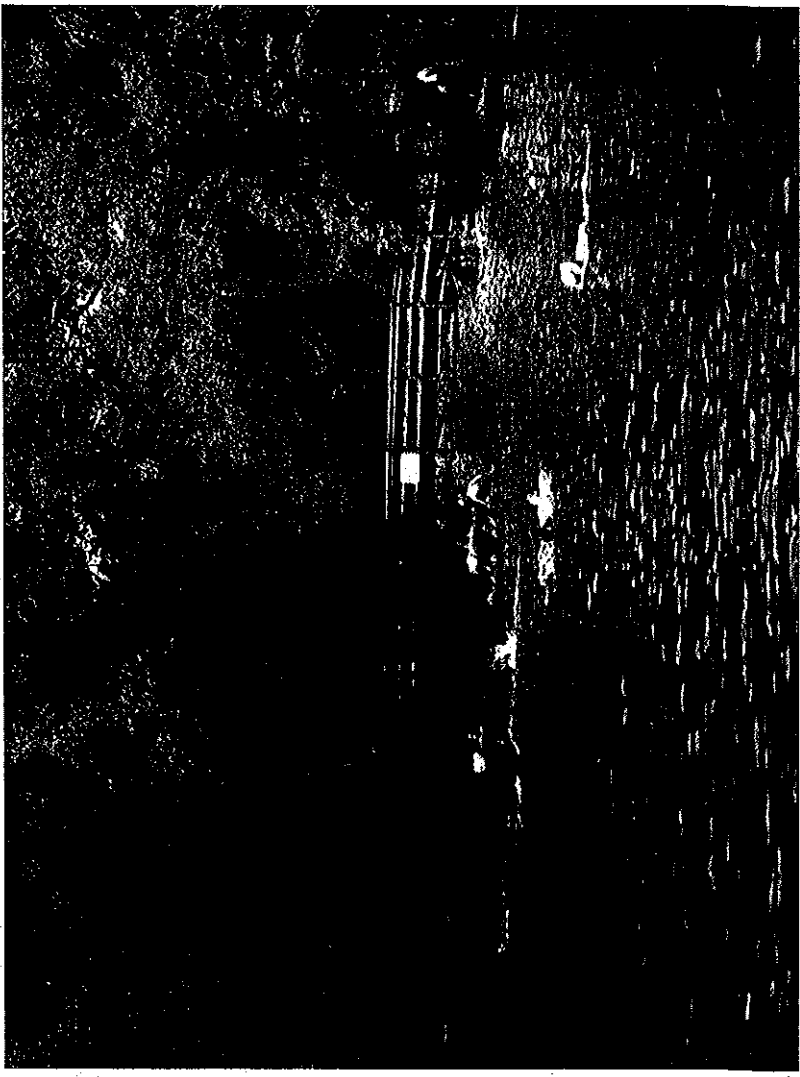
- Maintains the Historic Rose Garden at Stranahan House
- 1965 Initiated Garden Therapy Project at South Florida State Hospital
- 1976 Dedicated the Annie Beck Park of Flowering Trees along Victoria Park Road
- 1980 Distributed 100 seedling Trees on Arbor Day
- 1986 Wildflower Planting along Broward Blvd
- 1990 Landscaped homes for Habitat for Humanity Project

The Fort Lauderdale Garden Club Has Continued to Beautify & Plant Trees

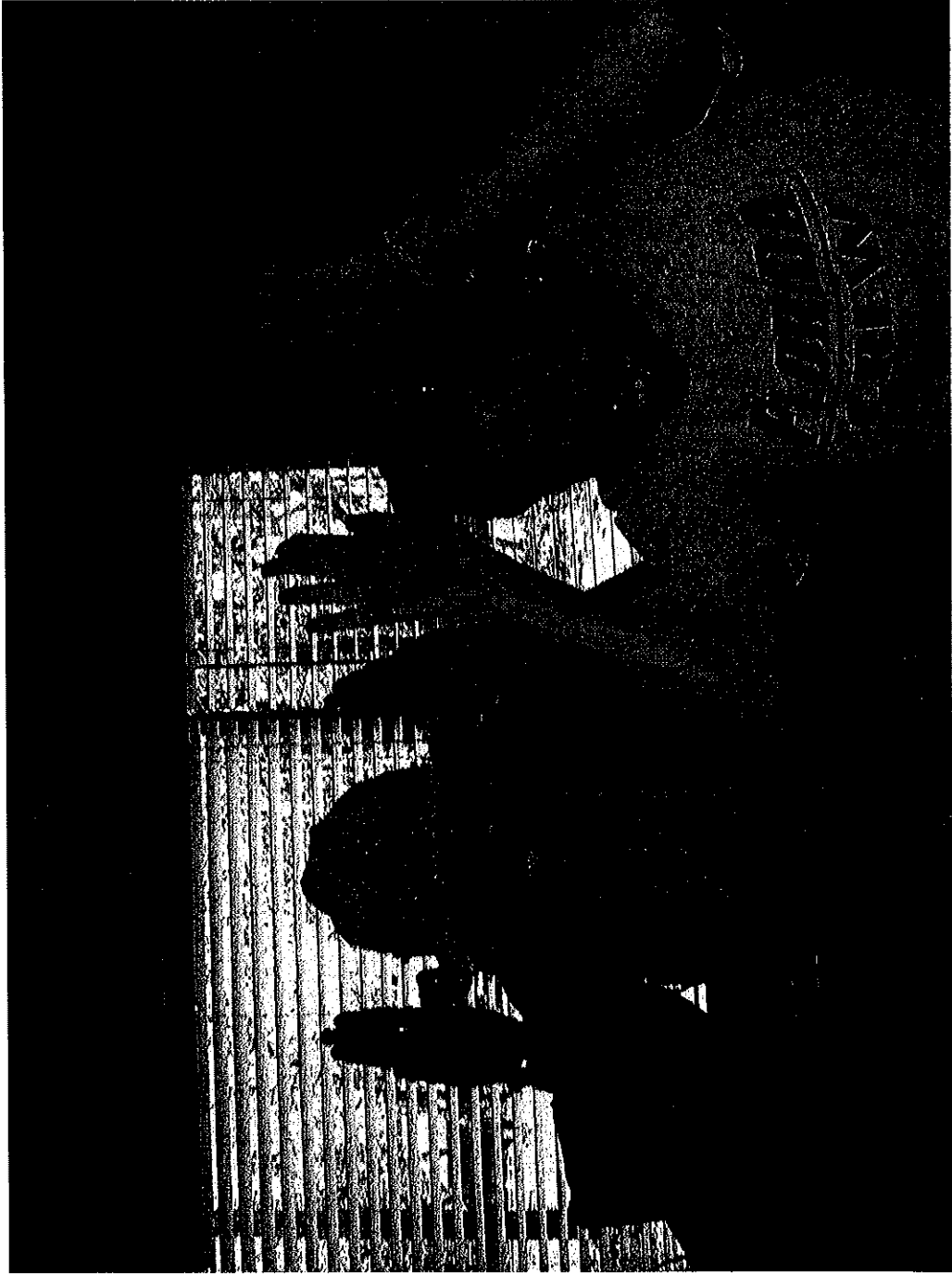
- 1993 Established & Maintains the Sensory Garden at the Lighthouse of Broward
- 1997 Saved the **Historic Annie Beck Tree**
- 2002 13 Flowering trees donated to DDA Plaza to commemorate the 75th Anniversary of FGC
- 2007 28 Trees Planting at George English Park & Sunland Elementary School
- 2009 Wildflower Planting along Broward Blvd

Youth Gardening & Camp Wekiva

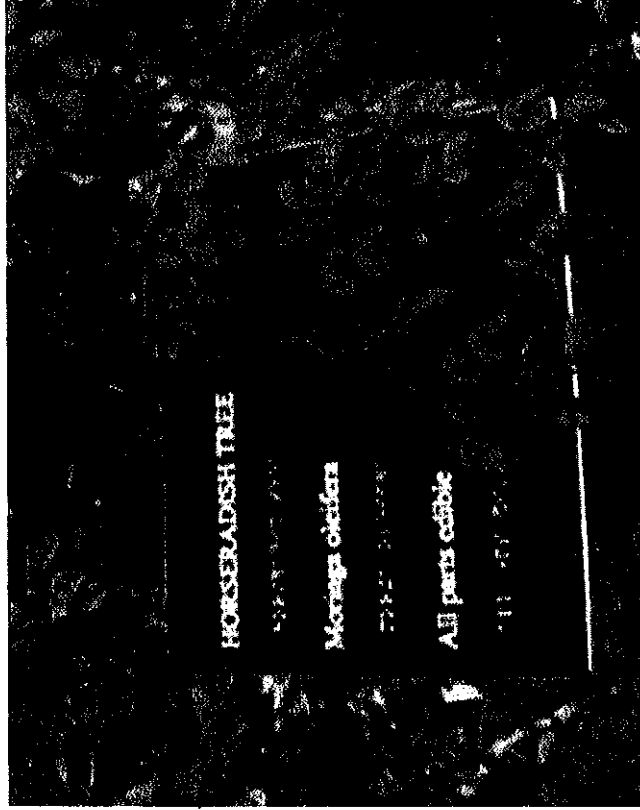
In Collaboration with Broward County Schools



Camp Wekiva Counselors



Sensory Garden



Educating our Youth

Sailboat Bend Preserve



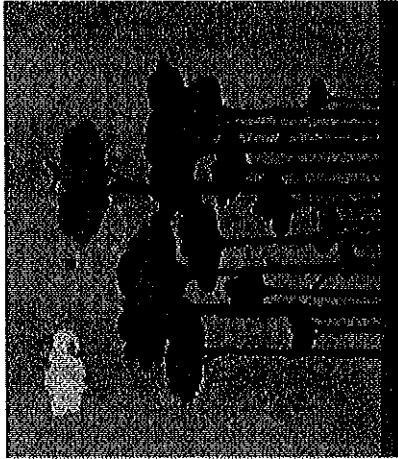
Arbor Day 2012



Arbor Days

ARBOR DAY

2012



WELCOME AND INTRODUCTION

Rose Richard - Babson: Certified Arborist
Chairperson & Community Education Chair
Fort Lauderdale Garden Club, Inc.

SPEAKER

L. Thomas Chanoff:
Landscape Architect
Tree Preservationist
Consulting Arborist

PRESENTER

Gene Dempsey:
City Forester
Tree City Award & Tree Planning
Sponsored by the
City of Fort Lauderdale

Wildflower seeds donated by The Fort Lauderdale Garden Club
and Naturescape Broward

Friday April 27th at 10:00
AM-12:00 PM
Sailboat Bend Preserve
1401 SW 3rd Court
Fort Lauderdale

Participating Youth

Stranahan High School

Kids Ecology Corp

North Fork Elementary School

4-H Junior Master Gardeners

Join us for a walk through the native
trail of the new

Sailboat Bend Preserve

1.27 acres of Oak Hammock

in Downtown Fort Lauderdale

We will plant trees and native species.

Directions: South of Broward Boulevard and
Middle River Street West on SW 3rd Ave.

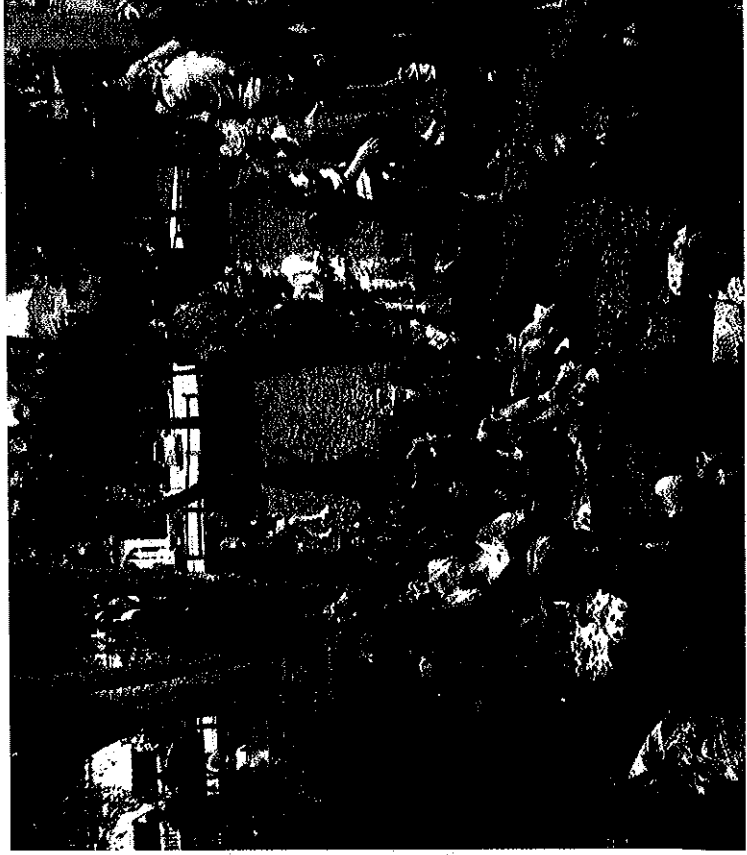
Drop off at 1401 SW 3rd Court & 14th Avenue



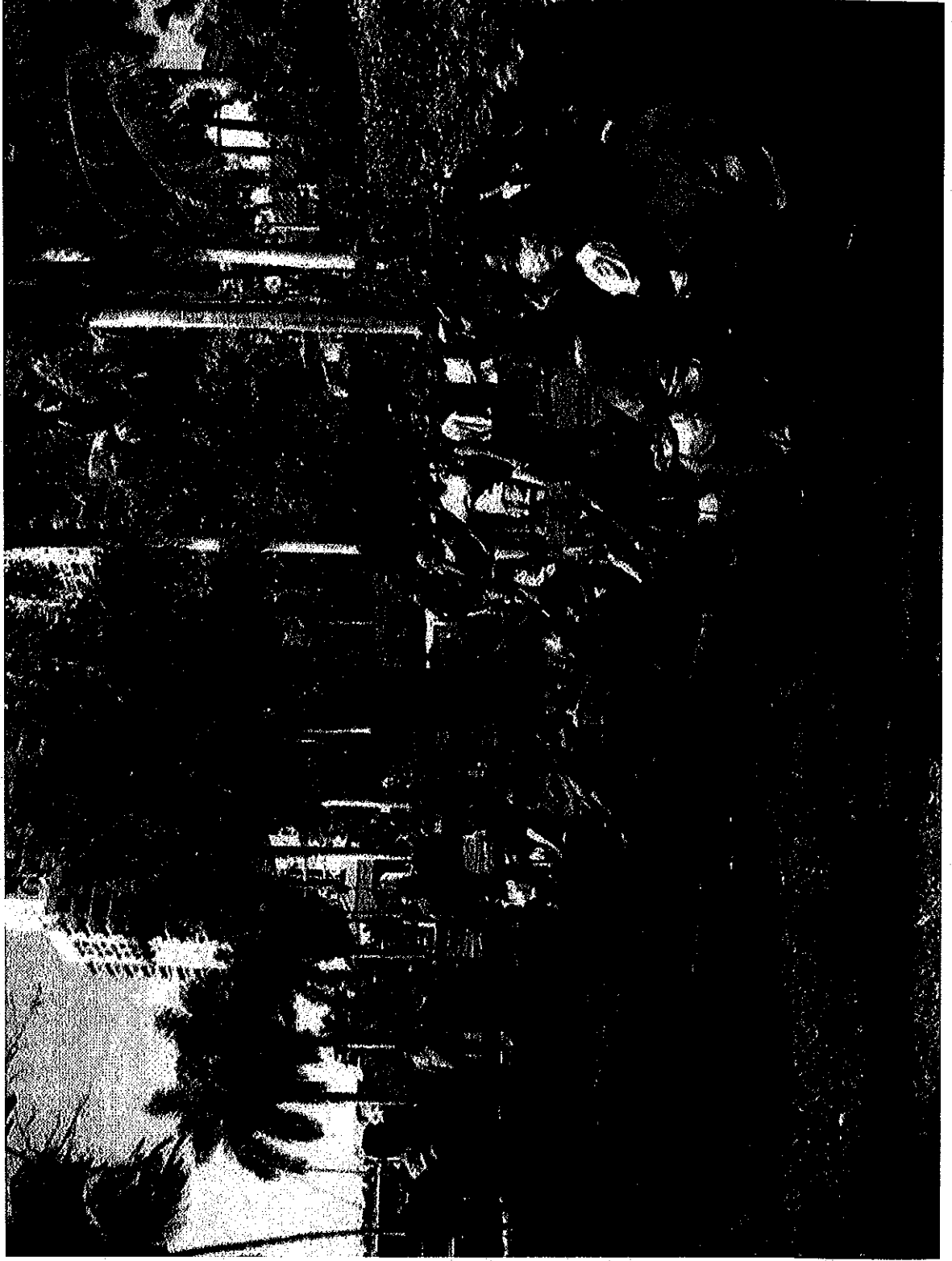
Colee Hammock Arbor Day 2011

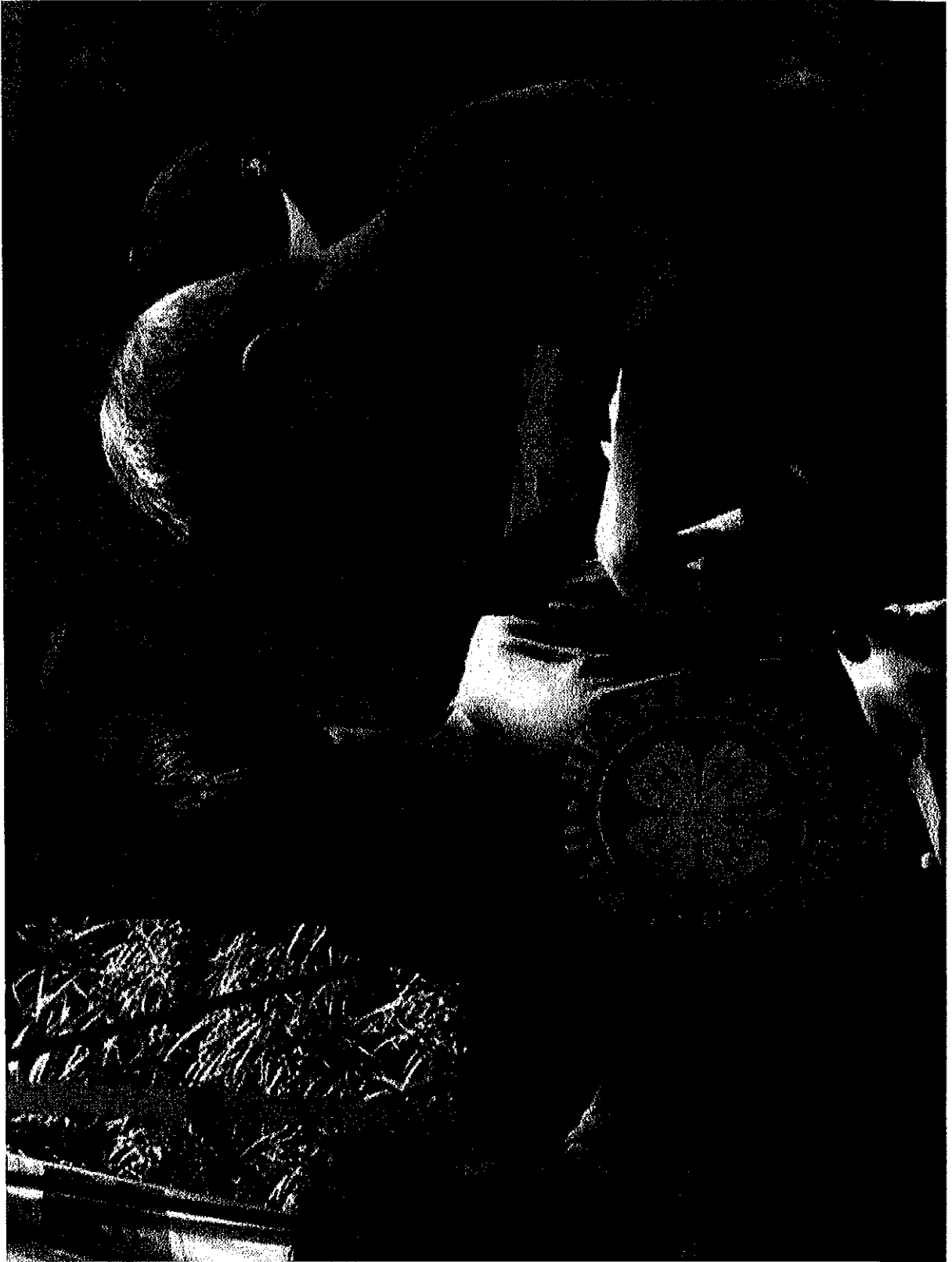


Happyland Day School Earth and Arbor Day



Arbor Day Riverwalk



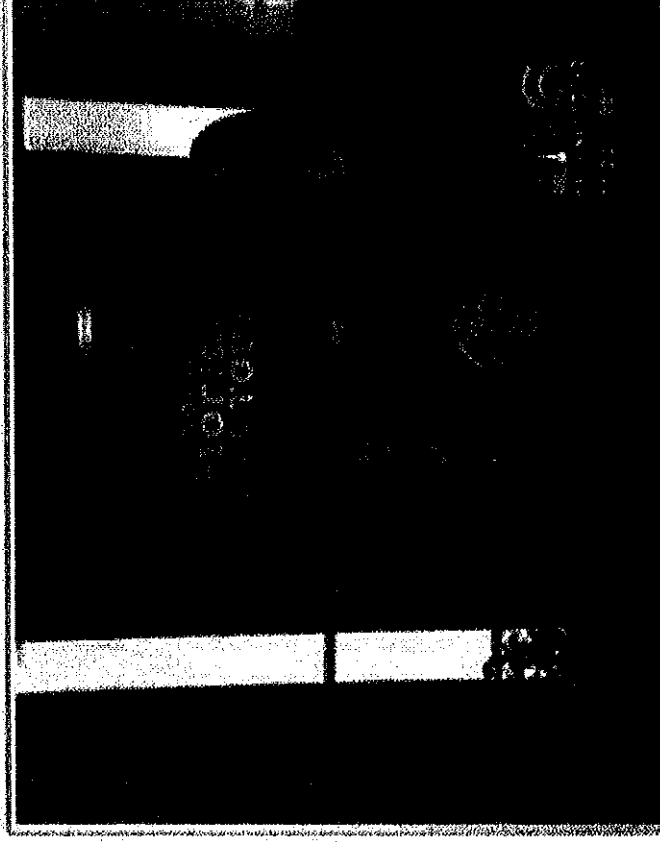
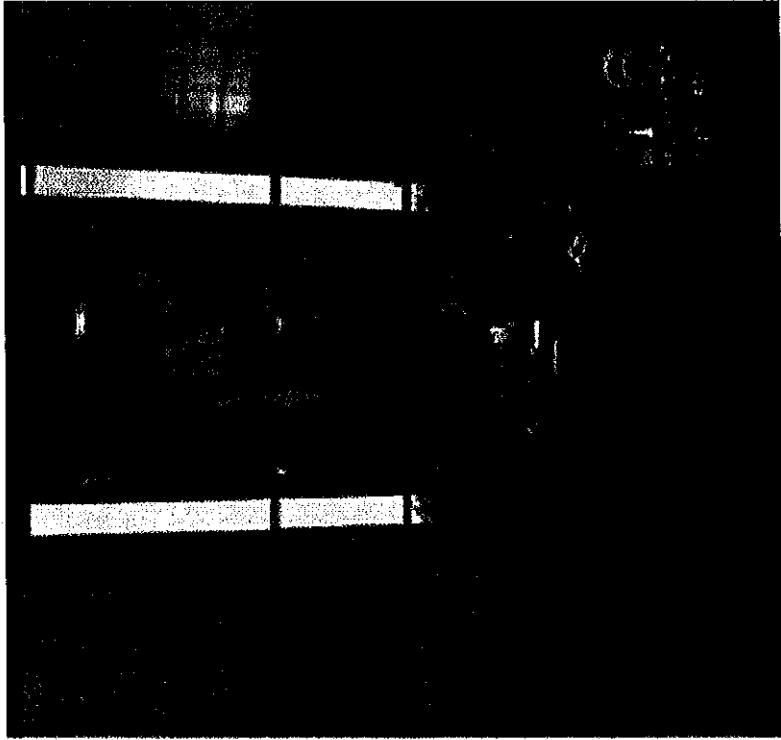


Arbor Day 2010



Educating the Community

4 Years on NBC 6



Wildflower Plantings on Broward Blvd.



**Fort Lauderdale Garden Club's Youth
Gardeners and 4-H Junior Master Gardeners
Team Up with a little help from our friends!**



Saving the Historic Annie Beck Tree



LOCAL

Sun-Sentinel, Tuesday, October 28, 1997 Section B

Developer is out on a limb over landmark tree

By ROBIN BENEDEK
Staff writer

FORB LAUDERDALE — Broward County's oldest silver trumpet tree, a harbinger of spring with butter-yellow flowers, has survived hurricanes, but it might not withstand the march of redevelopment.

The landmark tree, older than most buildings in town, stands in the way of a proposed downtown office tower at 334 E. Las Olas Blvd. Instead of building around the tree, which was planted more than 60 years ago by pioneer Annie Beck at the site of her former home, the Stiles Development Co. wants to move it.

Members of the Federated Garden Circles of Fort Lauderdale worry that the protected tree on the south side of Las Olas may not survive being dug up and replanted. Stiles wants to move the tree in December, but garden club members do not think that leaves enough time to properly prepare the tree for removal.

This is one of the most spectacular trees around, and we could lose it, said Ann Schandelmaier, a Federated Garden Circles member. She said several garden club members who were friends of Annie Beck confirmed that Beck planted the tree.

The tree is special because of its past.

The tree is thought to be the first *Tabebuia caraba*, or silver trumpet, planted in Broward by one of the city's most honored residents. It is also one of the largest, sitting about 2 feet from

The tree has a gnarled, bonsai-like shape with light bark and green leaves dripping with moss.

“The danger is to move too fast on something you can’t replace” ...

FROM PAGE 1B

Landmark silver trumpet tree growing at center of developer's dilemma

the sidewalk on Las Olas Boulevard near a construction trailer and mounds of fill.

The tree has gnarled, bonsai-like shape with light bark and green leaves dripping with moss. Its eye-catching yellow flowers bloom in spring. The tree's canopy was damaged during Hurricane Andrew, but it could live another 40 or 60 years based on the typical lifespan of a *Tabebuia*.

“Everybody here wants the very best for this tree,” City Commissioner Jack Latona said.

Commissioners must approve the move because it was designated a protected tree in 1978. Last week, they agreed to let Stiles begin preparing the tree for moving under the guidance of a certified arborist. But Stiles

TREE

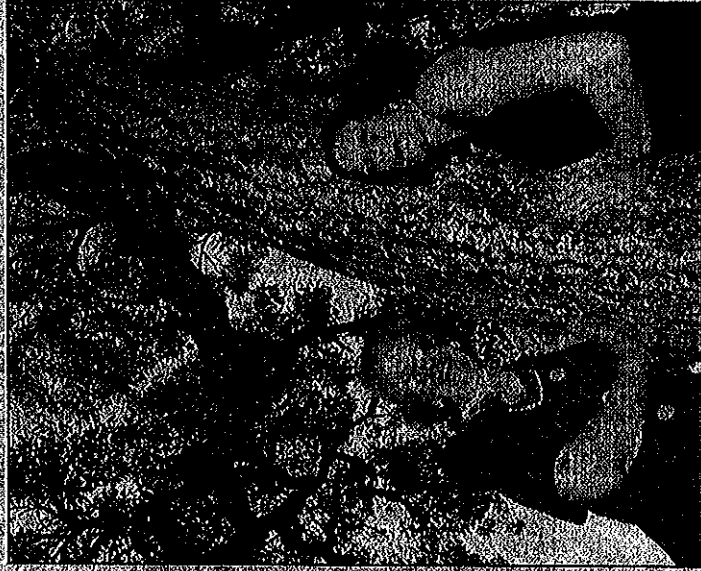
must come back to the commission for formal approval and to give the elected officials a say in where the tree will go.

Thomas Chancey, a certified arborist examined the tree and deemed it healthy enough to survive a move. He said a chunk of sidewalk may have to be ripped out to move the tree, which he valued at about \$15,000.

Chancey has volunteered to oversee the move as requested by commissioners. His assistant, Rose Bechard-Butman, is working with the Federated Garden Circles and Stiles to find a suitable location for the tree and to make sure it is properly pruned before being moved.

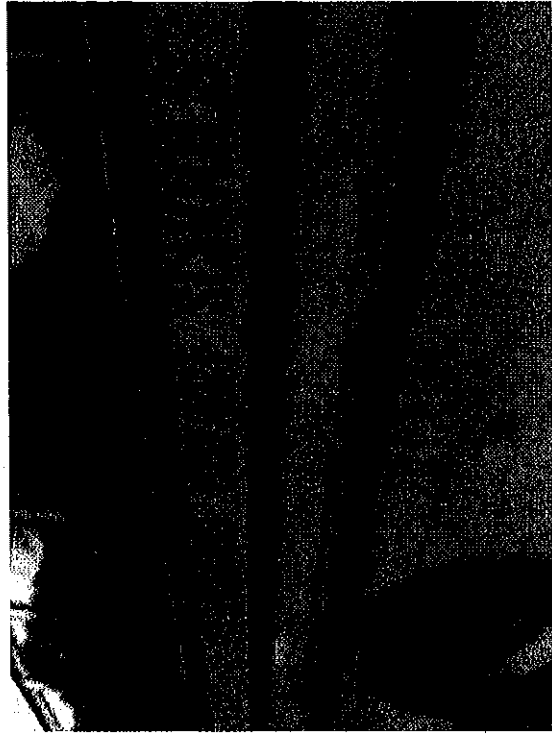
Stiles wants to move the tree by the end of the year before demolishing the corner building where Bunning the Florist sits. The flower shop will move temporarily into the Stiles building across the street. Once the 18-story Las Olas Centre II opens in mid-1999, Bunning will move into the new tower.

“The danger here is to move too fast on something you can’t replace,” Bechard-Butman said. “We won’t get another chance.”



Ann Schandelmayer, left, and Rose Bechard-Butman stand with the tree on Las Olas Boulevard.

More than 40% of Broward Schools are now Certified Schoolyard Habitats



“Teaching Children to protect, conserve, and nurture our environment is a lesson that will last a lifetime and can change the way a child experiences and views the world.” Broward County Vice Mayor Kristen Jacobs.

Educating Our Youth? Fort Lauderdale High School



Communication

- HOA's should be notified of any tree take downs or FP&L pruning in their neighborhoods so they don't "wake up" to surprises.
- All Site Plans that indicate removals of mature trees should be looked at by a Consulting Arborist to see if the trees can be preserved in the design phase.

**“The Best Time to Plant a Tree
Is Twenty Years Ago.”**

The Second Best Time is Now.”

CITIZEN PRESENTATION 5 - 08/21/12



Minority Development & Empowerment, Inc.
5225 NW 33rd Avenue ■ Bldg. 5, Suite 5225 ■ Fort Lauderdale, FL 33309
Phone: (954) 315-4530 ■ Fax: (954) 763-8567
www.mdeinc.org

August 19, 2012

Honorable John P. "Jack" Seiler
Mayor
City of Fort Lauderdale
100 N. Andrews Ave.
Fort Lauderdale, FL 33301

Handwritten note:
Copy to [unclear]
[unclear]

BOARD OF DIRECTORS

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Chair
Magistrate
17th Judicial Circuit of Florida

Ruth Lynch
Immediate Past Chair

Derrick Reckord
Secretary
Grace Foods Internacional
Ltd.

Luisa Gutman
Treasurer
Holy Cross Hospital, Inc

Sandra Chamblee
Palm Beach County

Izett Scott
Associated General
Contractors, South Florida
Chapter

STAFF
Francois Leconte
President/CEO

Dear Mayor Seiler:

On Tuesday, August 14th, an unexpected vehicle malfunction caused the late submission of Minority Development and Empowerment, Inc.'s grant proposal for continued funding under the City of Fort Lauderdale's Housing Opportunities for People With AIDS program. The malfunction, a failure of the electrical system of the car carrying the document, caused the staff to be unable to open the doors, resulting in the proposal being submitted 2 minutes (120 seconds) late.

Minority Development and Empowerment, Inc. (MDE) fills a unique niche providing services to the Caribbean community of Broward County. Since 2008, MDE has provided HOPWA supportive services to more than 440 clients identified through our close ties to service organizations and the faith-based community. Our clients are disenfranchised, unfamiliar with the social services system and disconnected due to language, culture, and/or the isolation and fear many face when they are living with HIV/AIDS. These clients would not have accessed HOPWA-related services through any other agency

We are respectfully requesting that the application process be reopened to permit our submission. MDE has had no additional time to prepare the proposal as the sealed boxes have been in the custody of the Procurement Services Division of the City of Fort Lauderdale since 2:02pm on August 14th. It is our understanding that the City Commission has shown leniency in the past and we are requesting a similar consideration.

We thank you for your consideration of our request.

Sincerely,

Francis Leconte
President and Chief Executive Officer

- cc: Commissioner Bruce G. Roberts, District 1
- Commissioner Charlottee. Rodstrom, District 2
- Commissioner Bobby B. DuBose, District 3
- Commissioner Romney Rogers, District 4

An Equal Opportunity Agency

Minority Development & Empowerment, Inc. is South Florida's premier, non-profit organization that serves the Caribbean community; facilitating self-sufficiency and empowerment by offering, to youth and families, social service programs, access to health care and economic development.



CITY OF FORT LAUDERDALE
PURCHASING DEPARTMENT
VENDOR'S RECEIPT

BID NUMBER 823-11034

RECEIVED Dr. M. Mowley

Development
& Empowerment

Recd @ 2:02 PM/EA



August 9, 2012

Mr. Francois Leconte
Chief Executive Director and President
Minority Development and Empowerment, Inc.
5225 NW 33rd Ave.
Ft. Lauderdale, FL 33309

Dear Mr. Leconte,

It is with great pleasure that we write this letter of recommendation in support of Minority Development and Empowerment, Inc.'s (MDE) grant submission for continued Housing Opportunities for People with AIDS (HOPWA) funding. Since 1996, MDE has provided a wide variety of educational, health, prosperity and social services, including HOPWA, to the people of Broward County and our city.

As MDE seeks to renew this grant that provides essential services including permanent and transitional housing, emergency rent assistance, payment of utilities and moving expenses and other support services for people living with HIV/AIDS we wish them success and look forward to working closely with them in our community.

Mayor
Peggy Noland

Vice Mayor
Bill Ganz

Commissioners
Joseph E. Miller
Martin Popolsky
Ben Preston

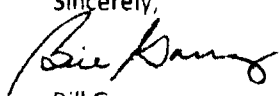
City Manager
Burgess Hanson



Deerfield Beach 2001
Deerfield Beach 2003

Deerfield Beach 2004



Sincerely,

Bill Ganz
Vice Mayor, City of Deerfield Beach

8/15/12 (G)



City of Wilton Manors

2070 Wilton Drive • Wilton Manors, FL 33416 • (754) 390-2100 • FAX (754) 390-0199

Gary Resnick
Mayor

August 2, 2012

Tom Green
City Manager

Mr. Francois Leconte
Chief Executive Director and President
Minority Development and Empowerment, Inc.
5225 NW 33rd Ave.
Ft. Lauderdale, FL 33309

Julie A. Carson
Commissioner

Ted Galatis
Commissioner

Dear Mr. Leconte:

Scott Newton
Commissioner

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Joseph L. Gallegos
City Manager

Kerry Ezard
City Attorney

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Sincerely,


Joseph L. Gallegos
City Manager

cc: Mayor and Commission