

**CITY COMMISSION REGULAR MEETING AGENDA  
APRIL 22, 2003 - 6:00 P.M.**

**Roll Call**

**Invocation: Reverend Grant Lynn Ford, Sunshine Cathedral/Metropolitan Community Church**

**Pledge of Allegiance**

**Approval of Minutes and Agenda: April 3, 2003 (Special and Regular)**

**PRESENTATIONS**

1. The Mayor and City Commissioners will present Expressions of Sympathy to the families of **Ruth Hurley and Louis Millio, Jr.**
2. The Mayor and City Commissioners will present a Commendation to **Scott Gronsbell.**
3. The Mayor and City Commissioners will present a Proclamation for **"Earth Day"** which was observed April 20, 2003.
4. The Mayor and City Commissioners will present a Proclamation for **"Drinking Water Week"** and will recognize the winners of the **2003 Drop Savers Poster Contest.**
5. The Mayor and City Commissioners will present a Proclamation for **"Arbor Day"** to be observed April 25, 2003.
6. The Mayor and City Commissioners will recognize the **Community Appearance Board's "WOW Award"** recipient for District IV.
7. The Mayor and City Commissioners will commend and present certificates to the **"Recognized Neighborhoods"** in the City of Fort Lauderdale.
8. The Parks and Recreation Department will make a presentation on the United States National Rugby Team, **"The Eagles,"** which will play the World Cup qualifying match against Spain at Lockhart Stadium on April 27, 2003.

**CONSENT AGENDA**

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

**Event Agreement – Rocksteady Meet Reggae**

**(M-1)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Big Ship Foundation, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with **Rocksteady Meet Reggae** to be **Sunday, June 15, 2003 from 12:00 noon to 12:00 midnight** at the Fort Lauderdale Stadium festival site.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-591 from City Manager.

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<b>CONSENT AGENDA</b>
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**Event Agreement – Broward Urban Music Summit****(M-2)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Nebula Educational Arts and Cultural Outreach** to indemnify, protect, and hold harmless the City from any liability in connection with the **Broward Urban Music Summit** to be held **Saturday, June 28, 2003 from 12:00 noon to 8:00 p.m.** at the Esplanade; and further authorizing the closing of S.W. 4 Avenue from the parking lot entrance south of the old Post Office site (leaving the parking lot open to the public) to the cul-de-sac at Riverwalk from 8:00 a.m. to 11:00 p.m. on the event day.

**Recommend:** Motion to approve.**Exhibit:** Memo No. 03-592 from City Manager.**Event Agreement – Soap Box Derby****(M-3)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **YMCA of Broward County, Florida** to indemnify, protect, and hold harmless the City from any liability in connection with the **Soap Box Derby** to be held **Friday, May 16, 2003 from 12:00 noon to 10:00 p.m., and Saturday, May 17, 2003 from 7:00 a.m. to 6:00 p.m.** at Huizenga Plaza and the Andrews Avenue Bridge; and further authorizing the closing of South Andrews Avenue from S.E. 2 Street to S.E. 5 Street, and East Olas Boulevard from the alley between Las Olas Riverfront and Las Olas Park Place east to S.E. 1 Avenue, from 5:00 a.m. to 7:00 p.m. only on Saturday, May 17, 2003.

**Recommend:** Motion to approve.**Exhibit:** Memo No. 03-593 from City Manager.**Payment to National Urban Fellows, Inc. for National Urban Fellowship Program Sponsorship – FY 2002/2003****(M-4)**

A motion approving the payment of \$49,000 to the National Urban Fellows, Inc. for the National Urban Fellowship Program Sponsorship for FY 2002/2003.

**Funds:** \$49,000 from GEN040201/3299 (Mission Statement/Other Services)**Recommend:** Motion to approve.**Exhibit:** Memo No. 03-346 from City Manager.**Disbursement of Funds – Joint Investigation – O. R. No. 02-91100 - \$4,070.58 U. S. Currency****(M-5)**

A motion authorizing the equitable disbursement of funds in the amount of \$4,070.58, with each of the 12 participating law enforcement agencies to receive \$339.21.

**Recommend:** Motion to approve.**Exhibit:** Memo No. 03-3-8 from City Attorney.

**CONSENT AGENDA**

**Disbursement of Funds –**  
**Joint Investigation – O. R. No. 02-110243 - \$2,407.56 U. S. Currency** **(M-6)**

A motion authorizing the equitable disbursement of funds in the amount of \$2,407.56, with each of the 12 participating law enforcement agencies to receive \$200.63.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-3-9 from City Attorney.

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**Disbursement of Funds –**  
**Joint Investigation – O. R. No. 02-110242 - \$3,407.56 U. S. Currency** **(M-7)**

A motion authorizing the equitable disbursement of funds in the amount of \$3,407.56, with each of the 12 participating law enforcement agencies to receive \$283.96.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-3-10 from City Attorney.

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**Disbursement of Funds –**  
**Joint Investigation – O. R. No. 00-11436 - \$17,010.95 U. S. Currency** **(M-8)**

A motion authorizing the equitable disbursement of funds in the amount of \$17,010.95, with each of the 14 participating law enforcement agencies to receive \$1,215.06.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-3-13 from City Attorney.

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**Disbursement of Funds –**  
**Joint Investigation – O. R. No. 01-104544 - \$9,004.30 U. S. Currency** **(M-9)**

A motion authorizing the equitable disbursement of funds in the amount of \$9,004.30, with each of the 14 participating law enforcement agencies to receive \$643.16.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-3-17 from City Attorney.

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**Disbursement of Funds –**  
**Joint Investigation – O. R. No. 02-14133 - \$236,836.41 U. S. Currency** **(M-10)**

A motion authorizing the equitable disbursement of funds in the amount of \$236,836.41, with each of the 12 participating law enforcement agencies to receive \$19,736.36.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-3-20 from City Attorney.

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**CONSENT AGENDA**

**Contract Award –  
Environmental and Analytical Management, Inc.  
(EAM Inc.) – Project 10629 - Annual Mobile Laboratory Services (M-11)**

A motion authorizing the proper City officials to execute an agreement with EAM Inc. in the estimated amount of \$49,950 for the sanitary sewer, waterman replacement and force main construction project being completed under the City's Capital Improvement Program.

**Funds:** See Memo

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-611 from City Manager.

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**Contract Award –  
Commercial Fence Contractors, Inc. – Project 10462 -  
Executive Airport Airfield Access and Security Program, Phase 2 (M-12)**

A motion authorizing the proper City officials to execute an agreement with Commercial Fence Contractors, Inc. in the amount of \$1,683,078.74 for the rehabilitation of the Executive Airport Access Control and Security Program, Phase 2.

**Funds:** See Memo

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-470 from City Manager.

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**Hold Harmless Agreements -  
Fire-Rescue and/or Police Equipment – 2003 Air and Sea Show (M-13)**

A motion authorizing the proper City officials to execute hold harmless agreements with Broward municipalities for the purpose of borrowing fire-rescue and/or police equipment for the 2003 Air and Sea Show.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-654 from City Manager.

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**Change Order No. 1 – Creative Modular Systems, Inc. -  
Project 10348 – Fire Station No. 47 Renovation/Modular Building (M-14)**

A motion authorizing the proper City officials to execute Change Order No. 1 with Creative Modular Systems, Inc. in the amount of \$27,015 for additional work related to the Fire Station No. 47 Renovation/Modular Building project.

**Funds:** See Change Order

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-622 from City Manager.

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**CONSENT AGENDA**

**Lease Agreement –  
Nadja A. Horst, DMD, PA – Shop No. 104 – City Park Mall (M-15)**

A motion authorizing the proper City officials to execute a lease agreement with Nadja A. Horst, DMD, PA, for the operation of a general dentistry office located in Shop No. 104 at City Park Mall.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-457 from City Manager.

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**Task Order No. 03-04 –  
Hazen and Sawyer, P.A. – Project 10661 – South Florida Water  
Management District (SFWMD) – Consumptive Use Permit Application (M-16)**

A motion authorizing the proper City officials to execute Task Order No. 03-04 with Hazen and Sawyer, P.A. in the amount of \$33,300 for professional services related to the SFWMD's Consumptive Use Permit application.

**Funds:** See Memo  
**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-568 from City Manager.

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**Task Order No. 5,  
Amendment No. 2 – Westin Engineering - Project 00260 –  
Construction and Configuration Services for Process Control Upgrades (M-17)**

A motion authorizing the proper City officials to execute Amendment No. 2 to Task Order No. 5 with Westin Engineering in the amount of \$574,029 for additional construction and configuration services associated with process control upgrades at the City's treatment plants.

**Funds:** See Memo  
**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-608 from City Manager.

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**Change Order No. 1 (Final) –  
Metro Equipment Services, Inc. – Project 10289 -  
Pump Stations B-2 and D-44 Rehabilitation, and Pump Station A-15 Relocation (M-18)**

A motion authorizing the proper City officials to execute Change Order No. 1 (Final) with Metro Equipment Services, Inc. in the **credit** amount of \$7,442.25 for services associated with the rehabilitation of Pump Stations B-2 and D-44 and the relocation of Pump Station A-15.

**Funds:** See Change Order  
**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-609 from City Manager.

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**CONSENT AGENDA**

**Change Order No. 7 – Whiting-Turner Contracting, Inc. –Project 10222 – City Park Mall Garage (M-19)**

A motion authorizing the proper City officials to execute Change Order No. 7 with Whiting-Turner Contracting, Inc. in the amount of \$201,917.20 for additional work related to the rehabilitation project for the City Park Mall Garage.

- Funds:** See Change Order
- Recommend:** Motion to approve.
- Exhibit:** Memo No. 03-566 from City Manager.
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**Lease Agreement – Azorra Properties, Inc. - Marine Facilities Office, 408 South Andrews Avenue (M-20)**

A motion authorizing the proper City officials to execute a lease agreement with Azorra Properties, Inc. for the Marine Facilities office located at 408 South Andrews Avenue, for a term of one year effective May 1, 2003 through April 30, 2004.

- Recommend:** Motion to approve.
- Exhibit:** Memo No. 03-582 from City Manager.
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**Transfer of General Fund Contingencies – Citizen Attendance at the 2003 Neighborhoods USA (NUSA) Conference (M-21)**

A motion approving the transfer of \$5,000 from General Fund Contingencies to the Community and Economic Development Department budget in order to reimburse five (5) City residents for their attendance at the 2003 NUSA Conference to be held May 21-24, 2003 in Chattanooga, Tennessee.

- Funds:** Transfer \$5,000 from General Fund Contingencies to PED030301/4101 (Conferences)
- Recommend:** Motion to approve.
- Exhibit:** Memo No. 03-561 from City Manager.
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**Apparatus Agreement – Broward County – Use of Fire-Rescue Equipment (M-22)**

A motion authorizing the proper City officials to execute an agreement with Broward County for the temporary use of County fire-rescue apparatus in cases of emergency or when the City’s fleet reserve units have been temporarily depleted.

- Recommend:** Motion to approve.
- Exhibit:** Memo No. 03-530 from City Manager.
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**CONSENT AGENDA**

**Contract Award – American Door Company – Project 10423-A -  
War Memorial Auditorium Emergency Egress Door Replacement**

**(M-23)**

A motion authorizing the proper City officials to execute an agreement with American Door Company in the amount of \$47,860 for the replacement of the War Memorial Auditorium egress door under Section 2-179(2) of the Code of Ordinances.

**Funds:** See Memo

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-460 from City Manager.

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**Master Lighting, Maintenance and  
Compensation Agreement - Florida Department of Transportation (FDOT)**

**(M-24)**

A motion authorizing the proper City officials to execute a Master Lighting, Maintenance and Compensation Agreement with FDOT in order to outline maintenance responsibilities and compensation of such for the 1,938 State-owned streetlights in the City.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-618 from City Manager.

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**PURCHASING AGENDA**

**Proprietary – Haz-Mat Smart Strips**

**(Pur-1)**

An agreement to purchase Haz-Mat Smart Strips is being presented for approval by the Fire and Police Departments.

Recommended Award: Safety Solutions, Inc.  
 Boynton Beach, FL  
 Amount: \$ 20,800.00 (estimated)  
 Bids Solicited/Rec'd: N/A  
 Exhibits: Memorandum No. 03-543 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award the proprietary purchase.

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**Sole Source – Specialty Beverages for Cajun Festival**

**(Pur-2)**

An agreement to purchase specialty beverages for Cajun Festival is being presented for approval by the Parks and Recreation Department.

Recommended Award: Gold Coast Beverage Distributing  
 Pompano Beach, FL  
 Amount: \$ 21,635.00 (estimated)  
 Bids Solicited/Rec'd: 2/1 with 1 no bid  
 Exhibits: Memorandum No. 03-534 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award the sole source.

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**Proprietary – Replacement Sludge Pump**

**(Pur-3)**

An agreement to purchase a replacement sludge pump is being presented for approval by the Public Services Department.

Recommended Award: Hudson Pump & Equipment Assoc., LLC  
 Lakeland, FL  
 Amount: \$ 24,997.00  
 Bids Solicited/Rec'd: N/A  
 Exhibits: Memorandum No. 03-519 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award the proprietary purchase.

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**PURCHASING AGENDA**

**432-8830 – Two-Year Contract for Fluoride**

**(Pur-4)**

A two-year agreement to purchase fluoride is being presented for approval by the Public Services Department.

Recommended Award: Pennco, Inc.  
Sealy, TX  
Amount: \$ 37,537.50 (estimated annual total)  
Bids Solicited/Rec'd: 63/5 with 3 no bids  
Exhibits: Memorandum No. 03-587 from City Manager

The Procurement and Materials Management Division agrees with the recommendation to award to the low responsive and responsible bidder.

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**Proprietary – Legal Publications and Books**

**(Pur-5)**

An agreement to purchase legal publications and reference books is being presented for approval by the City Attorney's Office.

Recommended Award: West Group  
Carol Stream, IL  
Amount: \$ 35,000.00 (estimated)  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 03-409 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award the proprietary purchase.

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**MOTIONS**

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

**Proposed Lien Settlement - Special Master Case** (M-25)

A motion authorizing the proposed lien settlements for the following Special Master case. (On April 3, 2003, the City Commission deferred consideration of this item to April 22, 2003.)

1. 1402 N.W. 19 Street (9214259) – Gentle Robinson Jr. - \$9,184

**Recommend:** Introduce motion.  
**Exhibit:** Memo No. 03-588 from City Manager.

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**Settlement of Workers Compensation File Nos. WC-91-6584 and WC-97-9428 (Tara Mager)** (M-26)

A motion authorizing the settlement of Workers Compensation File Nos. WC-91-6584 and WC-97-9428 (Tara Mager).

**Recommend:** Introduce motion.  
**Exhibit:** Memo No. 03-529 from City Manager.

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**City Commission Request for Review - Site Plan Approval/ Yard Modifications/RMH-60 - The Lafayette (PZ Case No. 124-R-02)** (M-27)

A motion scheduling a public hearing date within sixty (60) days in conjunction with the review of the following application, which was approved by the Planning and Zoning Board March 26, 2003 by a vote of 5-4:

Applicant: Hotel Motel, Inc.  
Request: Site plan approval/yard modification/RMH-60  
Location: 2221-2231 North Ocean Boulevard

**Recommend:** Introduce motion.  
**Exhibit:** Memo No. 03-557 from City Manager.

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**PUBLIC HEARINGS**

**THERE ARE NO PUBLIC HEARINGS  
SCHEDULED ON THIS AGENDA**

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**ORDINANCES**

**Amend ULDR Chapter 47 - Regulations for Fences and Walls (PZ Case No. 9-T-02)**

**(O-1)**

An ordinance amending ULDR Chapter 47 regulations for fences and walls, which was recommended for approval by the Planning and Zoning Board on January 15, 2003 by a vote of 7-2. Ordinance No. C-03-19 was published March 22 and 29, 2003, and April 12, 2003, and was approved on first reading April 3, 2003 by a vote of 5-0.

Applicant: City of Fort Lauderdale/Construction Services Bureau  
 Request: Amend various sections in ULDR Chapter 47 regarding regulations for fences and walls

**Recommend:** Introduce ordinance on second reading.  
**Exhibit:** Memo No. 03-599 from City Manager; and  
 Memo No. 03-308 from City Manager.

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**Vacate Alley – Fort Lauderdale Nissan, Inc. and City/County Credit Union (PZ Case No. 16-P-02)**

**(O-2)**

An ordinance approving the vacation an alley, which was approved by the Planning and Zoning Board on December 18, 2002 by a vote of 5-4. Ordinance No. C-03-13 was published January 23 and 30, 2003. On February 4, 2003, the City Commission deferred first reading to March 4, 2003 by a vote of 5-0; on March 4, 2003, the City Commission approved this ordinance on first reading by a vote of 4-1 (Katz); on March 18, 2003, the City Commission approved this ordinance on second reading by a vote of 5-0. On April 3, 2003, the City Commission approved reconsideration of this ordinance for April 22, 2003 by a vote of 5-0. Notice of proposed ordinance was then published April 12, 2003.

Applicant: Fort Lauderdale Nissan, Inc. and City/County Credit Union  
 Request: Vacate alley  
 Location: East side of Federal Highway, between S.E. 13 Street and S.E. 14 Street

**Recommend:** Introduce ordinance on first reading.  
**Exhibit:** Memo No. 03-607 from City Manager;  
 Memo No. 03-436 from City Manager; and  
 Memo No. 03-47 from City Manager.

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**RESOLUTIONS**

**Executive Airport – Parcel 10**

**Lease Amendment - World Jet, Inc./R. D. Whittington**

**(R-1)**

A resolution authorizing the proper City officials to execute a lease amendment with World Jet, Inc./R. D. Whittington for Parcel 10 to correct and clarify the lease language related to the Assignment and Subleasing Provisions and Rights to Mortgage Lessee's Interest Under the Lease and Rights of Leasehold Mortgagee.

**Recommend:** Introduce resolution.

**Exhibit:** Memo No. 03-540 from City Manager.

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**Plat Approval – Cabba Inc. – “Grandeur Plat” (PZ Case No. 24-P-02)**

**(R-2)**

At the Planning and Zoning Board special meeting of March 26, 2003, it was recommended by a vote of 9-0 that the following application be approved:

Applicant: Cabba Inc.  
Request: Plat approval  
Location: 1360 Bayview Drive

**Recommend:** Introduce resolution.

**Exhibit:** Memo No. 03-560 from City Manager.

**Note:** Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

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**Vacate Utility Easement –**

**D & F Horvitz – 1700 S.E. 4 Street (DRC Case No. 9-M-02)**

**(R-3)**

A resolution approving the vacation of the following utility easement:

Applicant: D & F Horvitz  
Request: Vacate utility easement  
Location: 1700 S.E. 4 Street

**Recommend:** Introduce resolution.

**Exhibit:** Memo No. 03-546 from City Manager.

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**RESOLUTIONS**

**Financing for Purchase of LifePac 12's for  
the Fire-Rescue Department – SunTrust Leasing Corporation**

**(R-4)**

A resolution authorizing the proper City officials to execute all documents necessary to borrow \$740,685 from the SunTrust Leasing Corporation to fund the purchase of 36 LifePac 12's for the Fire-Rescue Department, as approved by the City Commission on April 3, 2003.

**Recommend:** Introduce resolution.

**Exhibit:** Memo No. 03-410 from City Manager.

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**Memorandum of Agreement –  
Florida Department of Transportation (FDOT) and  
Broward County – Landscaping Improvements on the  
Northeast Quadrant of I-95 and the Sunrise Boulevard Interchange**

**(R-5)**

A resolution authorizing the proper City officials to execute a Memorandum of Agreement with FDOT and Broward County for landscaping improvements on the northeast quadrant of I-95 and the Sunrise Boulevard Interchange.

**Recommend:** Introduce resolution.

**Exhibit:** Memo No. 03-612 from City Manager.

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