

CITY COMMISSION REGULAR MEETING AGENDA
February 3, 2004 - 6:00 P.M.

Roll Call

Invocation: Reverend Dick Wills, Christ Church United Methodist

Pledge of Allegiance

Approval of Minutes and Agenda – January 6, 2004 and January 21, 2004

PRESENTATIONS

1. The Mayor and City Commissioners will present an Expression of Sympathy to the family of **Larry Hayes**.
2. The Mayor and City Commissioners will demonstrate the proper way to test a **smoke detector**.
3. The Mayor and City Commissioners will read aloud and present a proclamation for “**Black History Month**” and will pay special tribute to **Eula Gandy Johnson**.
4. The Mayor and City Commissioners will recognize the Fire-Rescue Department's **Technical Rescue Team**.
5. The Mayor and City Commissioners will recognize the **Outstanding City Employees**.

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 – Celebrate Jesus

(M-1)

A motion authorizing the proper City officials to execute an Event Agreement with **Christ Church United Methodist, Inc.** to indemnify, protect and hold harmless the City in from any liability in connection with **Celebrate Jesus**, to be held **Saturday, February 7, 2004 from 9:00 a.m. to 4:00 p.m.** on the Church grounds at Christ Church Park; and further authorizing the closing of N.E. 24 Terrace from N.E. 49 Street (at the parking garage) to N.E. 21 Terrace, from 6:00 p.m. Friday, February 6, 2004 to 6:00 p.m., Saturday, February 7, 2004.

Recommend: Motion to approve.

Exhibit: Memo No. 04-166 from Acting City Manager.

CONSENT AGENDA

Event Agreement – New River Street Dance**(M-2)**

A motion authorizing the proper City officials to execute an Event Agreement with the **Downtowner Saloon Inc.** to indemnify, protect and hold harmless the City in from any liability in connection with the **New River Street Dance**, to be held **Friday, March 26, 2004 from 4:00 p.m. to 11:00 p.m.; Saturday, March 27, 2004 from 3:00 p.m. to 11:00 p.m.; and Sunday, March 28, 2004 from 12:00 noon to 7:00 p.m.**; and further authorizing the closing of South New River Drive from the Andrews Avenue Bridge to the S.E. 3 Avenue Bridge from 8:00 a.m. Friday, March 26, 2004 to 11:00 a.m., Monday, March 29, 2004.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-165 from Acting City Manager.**Event Agreement – 16th Annual Las Olas March Art Fair****(M-3)**

A motion authorizing the proper City officials to execute an Event Agreement with the **Las Olas Association** to indemnify, protect and hold harmless the City in from any liability in connection with the **16th Annual Las Olas March Art Fair** to be held **Saturday and Sunday, March 6 and 7, 2004 from 10:00 a.m. to 5:00 p.m.** in the East Las Olas Shopping District; and further authorizing the closing of East Las Olas Boulevard from S.E. 6 Avenue to S.E. 11 Avenue from 4:30 a.m., Saturday, March 6, 2004 to 10:00 p.m., Sunday, March 7, 2004.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-167 from Acting City Manager.**Event Agreement – Rotary Scholarship 5K Run/Walk****(M-4)**

A motion authorizing the proper City officials to execute an Event Agreement with the **Rotary Club of Fort Lauderdale** to indemnify, protect and hold harmless the City in from any liability in connection with the **Rotary Scholarship 5K Run/Walk** to be held **Saturday, March 6, 2004 from 6:00 a.m. to 10:30 a.m.**; and further authorizing the closing of the route from 7:00 a.m. to 8:30 a.m. as follows: beginning at Huizenga Plaza and proceeding east on East Las Olas Boulevard to S.E. 3 Avenue; south to S.E. 6 Street; east to East Avenue (runs parallel to the Tunnel) to North Rio Vista Boulevard; east and south around the curve to S.E. 9 Street; west to S.E. 9 Avenue, north to North Rio Vista Boulevard, west to East Avenue, south to S.E. 6 Street, west to S.E. 3 Avenue, north to East Las Olas Boulevard, and west to return to the finish line at Huizenga Plaza.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-168 from Acting City Manager.

CONSENT AGENDA

Event Agreement – Riverwalk Run**(M-5)**

A motion authorizing the proper City officials to execute an Event Agreement with the **Junior League of Fort Lauderdale** to indemnify, protect and hold harmless the City in from any liability in connection with the **Riverwalk Run** to be held **Saturday, March 20, 2004 from 7:00 a.m. to 10:00 a.m.**; and further authorizing the closing of the route from 7:00 a.m. to 8:30 a.m. as follows: beginning at Huizenga Plaza and proceeding east on East Las Olas Boulevard to S.E. 3 Avenue; south to S.E. 6 Street; east to East Avenue (runs parallel to the Tunnel) to North Rio Vista Boulevard; south to S.E. 9 Street; east to Ponce De Leon, north to the turn-around and return south to S.E. 7 Street, east to Cordova Road, south to S.E. 11 Street, west to S.E. 9 Avenue, north to Rio Vista Boulevard, west to S.E. 10 Street; east to Rio Vista Boulevard; north to East Avenue; south to S.E. 6 Street; west to S.E. 3 Avenue; north to S.E. 4 Street; east to S.E. 5 Avenue; south to North New River Drive; and west to finish on the Riverwalk at Huizenga Plaza.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-169 from Acting City Manager.**Fiscal Year 2003/2004 Budget Amendment****(M-6)**

A motion approving an amendment to the FY 2003/2004 budget.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-171 from Acting City Manager.**First Amendment to Agreement –****First United Methodist Church of Fort Lauderdale, Inc. – Meter Revenue****(M-7)**

A motion authorizing the proper City officials to execute the First Amendment to the Agreement with the First United Methodist Church of Fort Lauderdale, Inc. in order to amend the current meter revenue split.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-125 from Acting City Manager.**Contract Award – Frank Hill Construction, Inc. –****Project 15200-B – Holiday Park Saber Jet Pedestal****(M-8)**

A motion authorizing the proper City officials to execute an agreement with Frank Hill Construction, Inc. in the amount of \$26,370 for the Holiday Park Saber Jet Pedestal project.

Funds: See Bid Tab**Recommend:** Motion to approve.**Exhibit:** Memo No. 04-65 from Acting City Manager.

CONSENT AGENDA

**Task Order No. 38 – Camp, Dresser, and McKee, Inc.
(CDM) – Project 10764 – G.T. Lohmeyer (GTL) Regional
Wastewater Treatment Plant Deep Injection Well Mechanical Integrity Testing (M-9)**

A motion authorizing the proper City officials to execute Task Order No. 38 with CDM in the amount of \$351,879 for professional services associated with the GTL Regional Wastewater Treatment Plant Deep Injection Well Mechanical Integrity Testing project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-66 from Acting City Manager.

**Task Order No. 39 –
Camp, Dresser, and McKee, Inc. (CDM) – Project 10759 -
Wastewater Transmission System Model and Master Plan Flows Update (M-10)**

A motion authorizing the proper City officials to execute Task Order No. 39 with CDM in an amount not to exceed \$91,491 for professional services associated with the Wastewater Transmission System Model and Master Plan Flows Update project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-67 from Acting City Manager.

**Task Order No. 42 – Camp, Dresser, and McKee, Inc.
(CDM) – Project 10761 – G.T. Lohmeyer (GTL) Regional
Wastewater Treatment Plant - Operating Permit Renewal (M-11)**

A motion authorizing the proper City officials to execute Task Order No. 42 with CDM in an amount not to exceed \$99,000 for submission of the GTL Regional Wastewater Treatment Plant application for renewal of the operating permit.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-68 from Acting City Manager.

CONSENT AGENDA

**Task Order No. 43 – Camp, Dresser, and McKee, Inc.
(CDM) – Project 10767 – Equipment Replacement and Immediate
Needs at G.T. Lohmeyer (GTL) Regional Wastewater Treatment Plant (M-12)**

A motion authorizing the proper City officials to execute Task Order No. 43 with CDM in an amount not to exceed \$850,000 for engineering services required to develop bid documents of the planned equipment replacement and needs at the GTL Regional Wastewater Treatment Plant.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-69 from Acting City Manager.

**Change Order No. 1 – F & L Construction, Inc. –
Project 10612 - 2003 Annual Contract for Concrete and Paving Stone Repair (M-13)**

A motion authorizing the proper City officials to execute Change Order No. 1 with F & L Construction, Inc. in the amount of \$66,600 for additional costs associated with sidewalk repairs under the 2003 annual contract for concrete and paving stone repair.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 04-178 from Acting City Manager.

**Change Order No. 2 – Danella Companies, Inc. –
Project 10561 – Force Main Directional Drill – West Broward Boulevard
and 27 Avenue and Under North Fork of New River on Sistrunk Boulevard (M-14)**

A motion authorizing the proper City officials to execute Change Order No. 2 with Danella Companies, Inc. in the amount of \$45,046 for additional costs associated with the force main directional drill under West Broward Boulevard and 27 Avenue, and the North Fork of New River and Sistrunk Boulevard project.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 04-70 from Acting City Manager.

PURCHASING AGENDA

Proprietary/Contract – Purchase Plan, Radio, Parts and Services

(Pur-1)

Annual purchase plan for various Motorola and EF Johnson radios, parts and services for citywide use is being presented for approval by the Administrative Services, Information Technology Division.

Recommended Award: Motorola Communications & Electronics, Inc.
 Fort Lauderdale, FL
 EF Johnson
 Cumming, GA
 Amount: \$ 93,610.00 (estimated)
 Bids Solicited/Rec'd: N/A
 Exhibits: Memorandum No. 04-163 Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving annual radio purchase plan.

242-8960 – Security Guard Services

(Pur-2)

Three-year contract for security guard services is being presented for approval by the Community and Economic Development, Executive Airport Division.

Vendor: Navarro Group (MBE)
 Fort Lauderdale, FL
 Amount: \$ 211,178.00 (estimated annual total)
 Bids Solicited/Rec'd: 55/9 with 1 no bid and 1 late bid
 Exhibits: Memorandum No. 04-004 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding to the first ranked proposer.

02-106-SS – Additional Costs, Third Party Administrator Services

(Pur-3)

Additional contract costs for third party administrator services is being presented for approval by the Finance, Risk Management Division.

Recommended Award: Gallagher Bassett Services
 Sunrise, FL
 Amount: \$ 70,846.00 (estimated)
 Bids Solicited/Rec'd: N/A
 Exhibits: Memorandum No. 04-003 Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving additional contract costs.

PURCHASING AGENDA

502-8315 – Software Support and Maintenance, Parking System**(Pur-4)**

An annual software support and equipment maintenance agreement for the City's automated municipal parking services system is being presented for approval by the Administrative Services, Parking Services Division.

Vendor: Enforcement Technology, Inc.
Irvine, CA
Amount: \$ 17,933.34
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-162 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding the annual maintenance and support agreement.

Proprietary – Software/Hardware Maintenance and Support**(Pur-5)**

A nine-month renewal agreement for software/hardware maintenance and support is being presented for approval by the Police Department.

Vendor: Intergraph Public Safety
Huntsville, AL
Amount: \$ 119,114.63
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-133 from Acting City Manager

The Procurement and Materials Management Division has reviewed this item and recommends awarding the proprietary purchase.

712-8459 – Increase Expenditure, Recycling Collection Services**(Pur-6)**

An increased contract expenditure for recycling collection services is being presented for approval by the Public Services, Sanitation Division.

Vendor: EarthCare Resources Management of Florida, Inc.
Boca Raton, FL
Amount: \$ 61,920.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-064 from Acting City Manager

The Procurement and Materials Management Division has reviewed this item and recommends approving increased expenditure.

PURCHASING AGENDA

92-00151 – 2003/04 PC Plan**(Pur-7)**

An agreement to purchase computers, upgrades and supplies, citywide, for fiscal year 2003 - 04 is being presented for approval by the Administrative Services, Information Technology Division.

Recommended Award:	Dell Marketing L.P. Round Rock, TX
Amount:	\$ 555,250.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-160 Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving annual computer purchase plan and purchases from the Western States Contracting Alliance (WSCA) contract.

542-8984 – Three Year Contract – Minutes Secretary Services**(Pur-8)**

A three-year contract for minutes secretary services for the City Commission and various advisory boards is being presented for approval by the City Clerk's Office.

Vendor:	Margaret A. D'Alessio (WBE) Hallandale, FL Prototype, Inc. (WBE) Davie, FL
Amount:	\$ 55,000.00 (estimated)
Bids Solicited/Rec'd:	68/2 with 7 no bids
Exhibits:	Memorandum No. 04-227 from City Clerk

The Procurement and Materials Management Division has reviewed this item and recommends approving contract awards.

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.

PLEASE SEE PAGE 16 FOR MOTION ITEMS

PUBLIC HEARINGS

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

ORDINANCES

Amend ULDR Sections 47-35.1, 47-2.2, 47-19.5, 47-20.5, 47-21.8, 47-19.1, 47-20.22, 47-22.3 and 47-23 – Reformat and Clarify Regulations Regulating Sight Triangles - (PZ Case No. 5-T-03) (O-1)

At the May 28, 2003 Planning and Zoning Board special meeting and November 19, 2003 Planning and Zoning Board regular meeting, the following application was recommended by a vote of 8-0. Ordinance No. C-04-3 was published December 6, 2003; on December 16, 2003, first reading was deferred to January 6, 2004 by a vote of 5-0; on January 6, 2004, first reading was approved by a vote of 4-1 (Moore); and on January 21, 2004, second reading was deferred to February 3, 2004 by a vote of 5-0.

Applicant: City of Fort Lauderdale
 Request: Amend the following ULDR Sections: 47-35.1 Definitions, to revise the definition of a sight triangle and place the definition in the appropriate ULDR section; 47-2.2 Measurements, to place the method of measuring sight triangles into the appropriate ULDR Section; 47-19.5 Fences, walls and hedges, 47-20.5 General design of parking facilities site circulation, 47-21.8 Landscape and tree preservation maintenance, and Section 47-22.3 Sign requirements general regulations to delete obsolete references and move site triangle definitions and requirements to the appropriate sections, and to provide technical clarification for the regulation relating to fences, wall and hedges; 47-19.1 Accessory uses , Buildings and structures general requirements , 47-20.22, Temporary parking lot standards, references to sight triangles in a particular section; and 47-23, Specific Location Requirements to consolidate sight triangle regulations as they apply to building in all zoning districts, and such other sections required to make the ULDR consistent.

Recommend: Introduce ordinance on second reading, as revised.
Exhibit: Memo No. 04-126 from Acting City Manager; and Memo No. 03-1724 from Acting City Manager.

Amendment to Chapter 28 - Water and Wastewater Master Plan – WaterWorks 2011 Program – Connection Fee for Riverland Annexed Areas (Chula Vista, River Landings and River Woods) (O-2)

An ordinance amending Chapter 28 entitled “Water, Wastewater and Stormwater,” of the Code of Ordinances, providing an exception for owners of property within the Riverland Annexed Area from the requirement to pay the connection fee for connection to new sewer facilities under WaterWorks 2011; specifying that owner-occupants of residential properties may finance that portion of the connection fee that represents the dwelling unit occupied by the owner; including the connection fee for two family homes; and amending such other sections of Chapter 28 necessary to make all sections consistent. Ordinance No. C-03-36 was published October 9 and 16, 2003, passed on first reading October 21, 2003 by a vote of 5-0; and on November 4, 2003, second reading was deferred to February 3, 2004 by a vote of 5-0.

Recommend: Motion to defer second reading to Tuesday, March 16, 2004 at 6:00 p.m.
Exhibit: Memo No. 04-181 from Acting City Manager; Memo No. 03-1484 from Acting City Manager; and Memo No. 03-1304 from Acting City Manager.

ORDINANCES

**Amendment to Chapter 27 – Vehicles for Hire –
Rental Cars with Chauffeurs and Sightseeing Vehicles**

(O-3)

An ordinance amending Chapter 27, “Vehicles for Hire,” Article V, “Rental Cars with Chauffeurs and Sightseeing Vehicles,” Division 2, “Certificate of Public Convenience and Necessity,” Section 27-192, “Application; Information to be Shown; Fee,” of the Code of Ordinances of the City, providing a limit on the number of certificates issued, providing a mechanism to increase that limit when necessary, providing an application process by which certificates shall be requested, providing minimum requirements for applicants, providing a process for staff review of each application received, providing for review of applications by the Community Services Board, providing a schedule for review by the Community Services Board, deleting moot provisions, and providing for severability, repeal of conflicting ordinance provisions, and an effective date. Notice of proposed ordinance was published January 24, 2004.

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 04-132 from Acting City Manager.

RESOLUTIONS

**Federal Transit Administration (FTA) –
Federal Grant Funding for Beach Shuttles**

(R-1)

A resolution expressing support for federal funding from the FTA for beach shuttles and expressing support for the Letter of No Prejudice from the FTA and commitment in principle of City parking revenues.

Exhibit: Memo No. 04-180 from Acting City Manager.

**Broward County Local Mitigation Strategy –
Compliance with Community Rating System for Flood Insurance Coverage**

(R-2)

A resolution adopting the Broward County Local Mitigation Strategy for the purpose of complying with the Community Rating System for flood insurance coverage for proper owners within the City's corporate limits.

Recommend: Introduce resolution.

Exhibit: Memo No. 04-196 from City Manager.

Vacation of Portion of Access Easement – Hibiscus, LLC (DRC Case No. 6-M-03)

(R-3)

A resolution authorizing the vacation of a portion of an access easement for the following application (Tract D, Beta Plat, Plat Book 172, Pages 98 and 99):

Applicant: Hibiscus, LLC
Request: Vacation of portion of an access easement
Location: 1351 State Road 84

Recommend: Introduce resolution.

Exhibit: Memo No. 04-135 from Acting City Manager.

**Intent to Sell City-Owned Lands to Public Body –
former Housing Opportunities for Persons With AIDS (HOPWA)
Properties - Lauderdale Lakes Community Redevelopment Agency (CRA)**

(R-4)

A resolution, pursuant to Section 8.02 of the City Charter, declaring the City's intent to sell City-owned property (which was formerly used for HOPWA purposes) to Lauderdale Lakes CRA upon certain terms and conditions, and calling for a public hearing thereon.

Recommend: Introduce resolution.

Exhibit: Memo No. 04-175 from Acting City Manager.

RESOLUTIONS

Demolition of Building – 1214 N.W. 4 Avenue

(R-5)

At its meeting of November 20, 2003, the Unsafe Structures and Housing Appeals Board recommended the City demolish the property at 1214 N.W. 4 Avenue and assess it with all appropriate costs:

Recommend: Introduce resolution.

Exhibit: Memo No. 04-203 from Acting City Manager.

Easement – Florida Department of Transportation (FDOT) - Intersection of Commercial Boulevard and N.E. 18 Terrace – Installation of Traffic Signal

(R-6)

A resolution approving the granting of an easement to FDOT for the installation of a traffic signal at the Fire Station at the intersection of Commercial Boulevard and N.E. 18 Terrace.

Recommend: Introduce resolution.

Exhibit: Memo No. 04-182 from Acting City Manager.

Appointment of Acting City Clerk

(R-7)

A resolution appointing an Acting City Clerk effective February 7, 2004 until a permanent City Clerk is appointed.

Recommend: Introduce resolution.

Exhibit: Memo No. 04-216 from City Clerk.

Appeal of Planning and Zoning Board’s Decision to Deny Site Plan Approval/Six (6) Cluster Home Development/RD-15 - De Novo Hearing – The New Fort Lauderdale Group, Inc. (PZ Case No. 94-R-03)

(R-8)

At the December 17, 2003 Planning and Zoning Board regular meeting, the following application was **denied** by a vote of 2-6.

Applicant:	The New Fort Lauderdale Group, Inc.
Request:	Appeal Planning and Zoning Board’s decision to deny site plan approval for six unit cluster home development/RD-15 district
Location:	2512-2520 N.E. 32 Avenue and 3210 N.E. 26 Street

Recommend: (a) Introduce motion to hear an appeal of the Planning and Zoning Board decision to be held immediately following the motion.
 (b) Introduce resolution to approve cluster home development on a waterway and yard modification as a site plan level III development permit. If this resolution is denied introduce resolution to deny development

Exhibit: Memo No. 04-129 from Acting 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.

RESOLUTIONS

**Appeal of Planning and Zoning Board
Decision - Site Plan Level III/Use on a Waterway
and Yard Modification for Multi-Family Structure –
Coastal Investment Properties, Ltd. (PZ Case No. 62-R-03)**

(R-9)

At the November 19, 2003 Planning and Zoning Board regular meeting, the following application was **denied** by a vote of 4-4.

Applicant: Coastal Investment Properties, Ltd.
Request: Appeal Planning and Zoning Board's decision to deny site plan approval/waterway use/yard modifications/RMM-25
Location: 2729-2735 N.E. 14 Street

Recommend: (a) Introduce motion to hear an appeal of the Planning and Zoning Board decision to be held immediately following the motion.
(b) Introduce resolution to approve multi-family structure on a waterway and yard modification as a site plan level III development permit. If this resolution is denied introduce resolution to deny development

Exhibit: Memo No. 04-15 from Acting 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.

**Site Plan Level IV Approval/Reduction of Yards/IOA District/
Premier Developers III Associates – Aquatania (PZ Case No. 78-R-03)**

(R-10)

At the November 19, 2003 Planning and Zoning Board regular meeting, the following application was **denied** by a vote of 1-6.

Applicant: Premier Developers III Associates
Request: Site plan level IV approval/reduction of yards
Location: 545 Bayshore Drive

Recommend: Introduce resolution.

Exhibit: Memo No. 04-207 from Acting 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.

MOTIONS

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Lien Settlements for Special Master Cases

(M-15)

A motion authorizing proposed settlements for the following Special Master cases:

1. 1729 N.W. 18 Street (CE03011005) – Sammy Brown and Stuart Pester - \$8,200
2. 1324 N.W. 5 Avenue (CE03021925) – Anthony Evans - \$7,875

Recommend: Introduce motion.

Exhibit: Memo No. 04-103 from City Manager.
