

**CITY COMMISSION REGULAR MEETING AGENDA
May 4, 2004 - 6:00 P.M.**

Roll Call

Invocation: Rick Braswell, Chaplain, Broward Sheriff's Department

Pledge of Allegiance

Approval of Minutes and Agenda – March 16, 2004

PRESENTATIONS

1. The Mayor and City Commissioners will demonstrate the proper way to test a *smoke detector*.
2. The Mayor and City Commissioners will recognize the **Hector Castro, City Engineer**, as the winner of *Florida Engineering Society's 2004 Government Engineer of the Year*.
3. 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 - Leon Russell Performance

(M-1)

A motion authorizing and approving the execution of an Event Agreement with the **Downtowner Saloon Inc.** to indemnify, protect, and hold harmless the City of Fort Lauderdale from any liability in connection with the **Leon Russell Performance, to be held Friday, June 18 from 4:00 PM to 11:00 PM**; and further authorizing the closing of South New River Drive from the Andrews Avenue Bridge to the SE 1 Avenue traffic circle; from 9:00 AM Friday, June 18 to 9:00 AM Saturday, June 19, 2004.

Recommend: Motion to approve.

Exhibit: Memo No. 04-638 from Acting City Manager.

CONSENT AGENDA

Event Agreement – Fort Lauderdale Soap Box Derby

(M-2)

A motion authorizing and approving the execution of an Event Agreement with the Fort Lauderdale **Soap Box Derby, Inc.** to indemnify, protect, and hold harmless the City of Fort Lauderdale from any liability in connection with the **Fort Lauderdale Soap Box Derby to be held at Huizenga Plaza and the Andrews Avenue Bridge on Friday, June 11 from 3:00 PM to 10:00 PM and Saturday, June 12 from 9:00 AM to 3:00 PM**; and further authorizing the closing of South Andrews Avenue from SE 2 Street to SE 6 Street; and East Las Olas Blvd. from the Alley between Las Olas Riverfront and Las Olas Park Place east to SE 1 Avenue, from 5:00 AM to 5:00 PM on Saturday, June 12, 2004 only.

Recommend: Motion to approve.

Exhibit: Memo No. 04-637 from Acting City Manager.

Contract Award - VIP Painting Inc.

Project 10591A – Police Station Central Wing, Concrete Repairs

(M-3)

A motion authorizing the proper City officials to execute an agreement with VIP Painting Inc., in the amount of \$18,050.00 for the Police Station Central Wing Concrete Repairs project.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 04-601 from Acting City Manager.

Change Order No. 1 – American Water Services, Inc.

Project 10711 – Wastewater Conveyance System – Long Term Remediation Program – Rehabilitation Sub-Basin A27.3

(M-4)

A motion authorizing the proper City officials to execute Change Order No. 1 with American Water Services, Inc., in the amount of \$54,445.95 for work on the Wastewater Conveyance System Long-Term Remediation Program – Rehabilitation Sub-Basin A27.3 project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-610 from Acting City Manager.

CONSENT AGENDA

**Change Order No. 4 – Astaldi Construction Corporation
Project 9766B – Progresso Sanitary Sewer Improvements**

(M-5)

A motion authorizing the proper City officials to execute a change order with Astaldi Construction Company in the amount of \$43,213.96, and including the additional of 214 calendar days to the period of construction for the Progresso Sanitary Sewer Improvements project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-607 from Acting City Manager.

**Change Order No. 2 – Engineer Control
Systems Corp. – Project 9980 – Bridge Repairs, Phase I**

(M-6)

A motion authorizing the proper City officials to execute Change Order No. 2 with Engineer Control Systems, Corp., in the amount of \$390,384.40 under the Bridge Repairs, Phase I project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-604 from Acting City Manager.

**Change Order No. 2 – John Rohrer Contracting Company, Inc.
Project 10707 – City Park Garage Phase IB – Planter/Barrier Wall Rehabilitation**

(M-7)

A motion authorizing the proper City officials to execute Change Order No. 2 with John Rohrer Contracting Company, Inc. in the amount of \$128,475.68 for additional work related to the City Park Garage Phase IB, Planter/Barrier Wall Rehabilitation project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-661 from Acting City Manager.

CONSENT AGENDA

**Task Order – Keith and Schnars
Project 10815.482 – Tarpon River Area -
Consulting Engineering and Surveying Services**

(M-8)

A motion authorizing the proper City officials to execute a task order with Keith and Schnars in the amount of \$107,582 for the provision of consulting engineering and surveying services associated with Tarpon River (7th Street and Andrews Avenue) Water Main Improvements.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-605 from Acting City Manager.

**Consultants' Competitive Negotiation Act (CCNA) –
Authorization to Negotiate with Top-Ranked Firms of
Stoner & Associates, Keith & Schnars, P.A., and Calvin,
Giordano & Associates for Project 10712 - Survey and Mapping Services**

(M-9)

A motion authorizing the proper City officials to accept the Consultant Selection and Negotiation Committee's recommendation of ranking short-listed firms for survey and mapping services; and further authorizing the proper City officials to commence negotiations with the top-ranked firms of Stoner & Associates, Keith & Schnars, P.A., and Calvin, Giordano & Associates or successively ranked firms if such negotiations become necessary.

Recommend: Motion to approve.

Exhibit: Memo No. 04-595 from Acting City Manager.

PURCHASING AGENDA

349-9041 – Confiscated/Surplus Vehicle and Equipment Auction

(Pur-1)

Prior approval of sale for any item that exceeds \$25,000 at the confiscated/surplus vehicle and equipment auction is being presented for approval by the various departments.

Exhibits: List of confiscated and surplus vehicles

The Procurement and Materials Management Division recommends approving public auction sale to be held on May 19, 2004.

582-8175 – Cancel Purchase Order, Reallocate for Parking Consultant Services

(Pur-2)

Cancel purchase order for remaining services to Kimley-Horn and reallocate remaining funds to Walker Parking Consultants is being presented for approval by the Administrative Services, Parking Services Division.

Vendor: Walker Parking Consultants
 Tampa, FL
 Amount: \$ 23,682.07
 Bids Solicited/Rec'd: N/A
 Exhibits: Memorandum No. 04-628 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends canceling the purchase order and reallocating the remaining funds to recommended contractor.

392-8194 – Contract for EMS Billing Services

(Pur-3)

A cost reduction and one-year contract for EMS billing services is being presented for approval by the Fire-Rescue Department.

Vendor: Advanced Data Processing, Inc.
 Miami, FL
 Amount: \$ 11,400.00
 Bids Solicited/Rec'd: N/A
 Exhibits: Memorandum No. 04-403 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving the cost reduction and one-year contract.

PURCHASING AGENDA

Additional Grounds Keeping Equipment

(Pur-4)

An agreement to purchase additional grounds keeping equipment is being presented for approval by the Administrative Services, Fleet Services Division.

Vendor: Burkhard's Tractor and Equipment, Inc.
Davie, FL
Hector Turf
Deerfield Beach, FL
Florida Outdoor Equipment
Orlando, FL
Amount: \$ 159,840.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-615 Acting City Manager

The Procurement and Materials Management Division recommends awarding purchases from Florida State contracts and the lowest responsive and responsible bidders.

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.

Settlement of General Liability File No. GL 01-500B (William Turner)

(M-10)

A motion approving settlement of GL 01-500B in the amount of \$27,500.

Recommend: Motion to approve.

Exhibit: Memo No. 04-642 from Acting City Manager.

Lien Settlements

(M-11)

A motion to approve settlements offered by bankruptcy trustee in bankruptcy case No 03-25636 BKC-PGH and authorizing the City Attorney to execute necessary documents.

Recommend: Motion to approve.

Exhibit: Memo No. 04-633 from City Attorney.

PUBLIC HEARINGS

Kevin Green d/b/a Clean Air Taxi

(PH-1)

A public hearing to consider a motion to approve an application from Kevin Green d/b/a Clean Air Taxi to operate ten (10) pedicabs and ten (10) rickshaws over specific routes within the City. On March 16, 2004, the City Commission tabled this item by a vote of 5-0. Notice of Public Hearing was published on April 22, 2004 and April 29, 2004.

Recommend: Motion to deny.

Exhibit: Memo No. 04-636 from Acting City Manager.

ORDINANCES

**Public Purpose Use/Site Plan Approval – City of
Fort Lauderdale - Peele-Dixie Water Treatment Plant (Case No. 4-R-04)**

(O-1)

An ordinance approving public purpose use. Notice of Ordinance No. C-04-22 was published April 8 and April 15, 2004, first reading was approved by a vote of 5-0.

Applicant: City of Fort Lauderdale
Request: Public purpose use/site plan approval
Location: 1500 State Road 7

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 04-658 from Acting City Manager; and
Memo No. 04-522 form 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.

**Public Purpose Use for Security Fencing – City of Fort
Lauderdale - G.T. Lohmeyer Water Treatment Plant (Case No. 3-R-04)**

(O-2)

An ordinance approving public purpose use. Notice of Ordinance No. C-04-23 was published April 8 and April 15, 2004, first reading was approved by a vote of 5-0.

Applicant: City of Fort Lauderdale
Request: Public purpose use/site plan approval
Location: 1765 SE 18th Street

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 04-657 from Acting City Manager; and
Memo No. 04-521 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.

ORDINANCES

**Public Purpose Use for Security Fencing – City of Fort
Lauderdale - Fiveash Water Treatment Plant (Case No. 2-R-04)**

(O-3)

An ordinance approving public purpose use. Notice of Ordinance No. C-04-24 was published April 8 and April 15, 2004, first reading was approved by a vote of 5-0.

Applicant: City of Fort Lauderdale
Request: Public purpose use/site plan approval
Location: 4321 NW 9th Avenue

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 04-656 from Acting City Manager; and
Memo No. 04-520 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.

**Public Purpose Use for Security Fencing – City of Fort
Lauderdale - Central Maintenance Shop (Case No. 1-R-04)**

(O-4)

An ordinance approving public purpose use. Notice of Ordinance No. C-04-25 was published April 8 and April 15, 2004, first reading was approved by a vote of 5-0.

Applicant: City of Fort Lauderdale
Request: Public purpose use/site plan approval
Location: 4250 NW 10th Avenue

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No.04-655 from Acting City Manager; and
Memo No 04-519 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.

ORDINANCES

Amendment to Pay Plan

(O-5)

An ordinance containing recommendations for amendments to Schedule I (Supervisory, Professional, and Managerial employees) and Schedule II (Confidential employees) of the Pay Plan as a result of our routine, ongoing reviews. The recommendations include the deletion of two (2) classes, the creation of two (2) new classes, the title change and pay range adjustment of two (2) classes, and the adjustment of the pay range of one (1) class, all in Schedule I. In Schedule II, the recommendations include the creation of one (1) new class. Notice of Ordinance No. C-04-27 was published April 10 2004, first reading was approved by a vote of 5-0.

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 04-652 from Acting City Manager; and
 Memo No. 04-328 from Acting City Manager.

**Amend ULDR Section 47-1.12 -
 Effect of Annexation on Property (PZ Case No. 4-T-04)**

(O-6)

At the Planning and Zoning Board regular meeting on March 17, 2004, it was recommended by a vote of 7-0 that the following application be approved. Notice of Ordinance No. C-04-26 was published on April 10, 2004, first reading was approved by a vote of 5-0.

Applicant: City of Fort Lauderdale/Construction Services
 Request: Amend ULDR Section 47-1.12 Effect of annexation on property (PZ Case 4-T-04)

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 04-653 from Acting City Manager; and
 Memo No. 04-512 from Acting City Manager.

ORDINANCES

Georgian Oaks, LLC (1-ZPUD-03)

(O-7)

- a) At the Property and Right-of-Way Committee meeting of July 17, 2003, it was recommended that the exchange of property be approved.
- b) At the Planning and Zoning Board meeting on January 22, 2004, it was recommended that the Georgian Oaks Plat be approved.
- c) At the Planning and Zoning Board on January 22, 2004, it was recommended by a (5-3) vote, that the following application be approved. Notice of a public hearing was published on March 26, 2004 and April 2, 2004.
- d) At the City Commission Meeting on April 7, 2004, Ordinance C-04-21 was approved by a vote of 5-0.

Applicant: Georgian Oaks, LLC
 Request: a) Conveyance of surplus property
 b) Plat approval
 c) Rezone from RD-15 to PUD for 35 single family homes
 Location: 1600 SW 20th Street

Recommend: Introduce ordinance with revisions on second reading.

Exhibit: Memo No. 04-679 from Acting City Manager; and
Memo No. 04-442 form Acting City Manager.

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

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

Adult Uses

(O-8)

An ordinance amending section 47-18.2, Adult Uses, to include a definition of sexually oriented material and sexually oriented retail establishment as an adult use and to prohibit the display of such material. Notice of Ordinance No. C-04-28 was published April 24 2004, first reading was approved by a vote of 5-0.

Recommend: Motion to defer to June 2, 2004.

Exhibit: Memo No. 04-686 from Acting City Manager; and
Memo No. 04-633 from Acting City Manager.

**Amend Ordinance No. C-04-5
regarding General Employees' Retirement System**

(O-9)

An ordinance amending the deadline for rollovers from defined contribution plans into General Employees' Retirement System for Previously Ineligible Employees and for Nonclassified Employees. Notice of Ordinance shall be published between first and second readings.

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 04-643 from Acting City Manager

CITIZEN PRESENTATIONS

Citizen Presentations appear on the Regular Agenda of the first meeting of the month and are limited to a maximum of three (3) minutes per presentation, for a total of not to exceed five (5) presentations per month.

John J. Greenfield – Code Amnesty

Exhibits: Application for Citizen Presentation; and
Memo No. 04-695 from Acting City Manager

RESOLUTIONS

**Grant Application, Florida Inland Navigation
District (FIND) – Waterways Assistance Program
Grant - Project 10754- Riverwalk South Regional Park
Project Phase III – Amended City Commission Resolution 04-35 (R-1)**

A resolution authorizing the proper City officials to proceed with further execution of all documents necessary to receive such grant funding.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-603 from Acting City Manager.

Lot Clearing/Cleaning Charges (R-2)

A resolution authorizing the imposition of a lien against the properties for costs associated with lot clearing/cleaning.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-626 from Acting City Manager.

**NW 7/9 Avenue Connector Project (P-9295) –
Funding for Detailed Design - Local Agency Program (LAP)
Agreement with the Florida Department of Transportation (FDOT) (R-3)**

A resolution authorizing the filing of an application with the Florida Department of Transportation (FDOT) for a Local Agency Program (LAP) funding agreement for costs associated with the detailed design of the NW 7/9 Connector , authorizing the proper City officials to execute said LAP agreement and authorizing the local funding match in the amount of \$200,000.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-594 from Acting City Manager.
