

**CITY COMMISSION REGULAR MEETING AGENDA  
June 15, 2004 - 6:00 P.M.**

**Roll Call**

**Invocation:**   **Captain Stephen Morris, Area Commander of the  
Salvation Army of Broward County**

**Pledge of Allegiance**

**Approval of Minutes and Agenda – May 4, 2004 and May 18, 2004**

**PRESENTATIONS**

1. The Mayor and City Commissioners will recognize the ***Community Appearance Board's "WOW Award" for District I***
2. The Mayor and City Commissioners will recognize the NUSA volunteers by presentation of certificates of appreciation
3. The Mayor and City Commissioners will recognize the Lauderdale Knights with commendations
4. The Mayor and City Commissioners will recognize Comcast & Taylor Hodkin Kopelowitz & Ostrow, P.A. for sponsoring the July 4<sup>th</sup> Fireworks Show
5. The Mayor and City Commissioners will present an Expression of Sympathy to the family of ***Dr. Ulysses Grant Horne, Jr.***

**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 – The Legends Cup**

**(M-1)**

A motion authorizing and approving the execution of an Event Agreement with **SportsUSA Group, Inc.** to indemnify, protect, and hold harmless the City of Fort Lauderdale from any liability in connection with **The Legends Cup, to be held on Saturday and Sunday, October 16 and 17, 2004 from 8:00 AM to 5:00 PM** at the Radisson Bahia Mar Resort and in the ocean from Fort Lauderdale to Key Largo.

**Recommend:**     Motion to approve.

**Exhibit:**             Memo No. 04-818 from Acting City Manager.

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<b>CONSENT AGENDA</b>
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**Event Agreement – 17<sup>th</sup> Annual Las Olas Labor Day Art Fair****(M-2)**

A motion authorizing and approving the execution of an Event Agreement with the **Las Olas Association** to indemnify, protect, and hold harmless the City of Fort Lauderdale from any liability in connection with the **17th Annual Las Olas Labor Day Art Fair, to be held in the East Las Olas shopping district on Saturday and Sunday, September 4 and 5, 2004 from 10:00 AM to 6:00 PM;** and further authorizing the closing of East Las Olas Boulevard from SE 6 Avenue to SE 11 Avenue from 4:30 AM Saturday, September 4 to 10:00 PM Sunday, September 5, 2004.

**Recommend:** Motion to approve.**Exhibit:** Memo No. 04-817 from Acting City Manager.**Event Agreement – Rally Day****(M-3)**

A motion authorizing and approving the execution of an Event Agreement with **First Presbyterian Church of Fort Lauderdale, Inc.** to indemnify, protect, and hold harmless the City of Fort Lauderdale from any liability in connection with the **Rally Day, to be held at the Church on Sunday, September 12, 2004 from 8:00 AM to 1:00 PM;** and further authorizing the closing of Tarpon Drive from Tarpon Terrace to Brickell Avenue, from 10:00 AM on Saturday, September 11 to 12:00 Noon on Monday, September 13, 2004.

**Recommend:** Motion to approve.**Exhibit:** Memo No. 04-816 from Acting City Manager.**Event Agreement – The Thrill of the Grill****(M-4)**

A motion authorizing and approving the execution of an Event Agreement with **Wild Oats Markets, Inc.** to indemnify, protect, and hold harmless the City of Fort Lauderdale from any liability in connection with **The Thrill Of The Grill, to be held at the Wild Oats Market at 2501 East Sunrise Boulevard on Saturday, June 19, 2004 from 12:00 Noon to 4:00 PM.**

**Recommend:** Motion to approve.**Exhibit:** Memo No. 04-840 from Acting City Manager.**Interlocal Agreement – Broward County, Hollywood & Sunrise – Cooperative Emergency Response to Hazardous Materials****(M-5)**

A motion authorizing and approving the execution of an Interlocal Agreement between the City of Fort Lauderdale and Kenneth C. Jenne, II, Sheriff of Broward County, establishing initial funding in the amount of \$450,000 annually for each municipal team (Fort Lauderdale, Hollywood and Sunrise) with renewal and annual increase clauses to partially fund the cost of providing HazMat and weapons of mass destruction services.

**Recommend:** Motion to approve.**Exhibit:** Memo No. 04-883 from Acting City Manager.

<b>CONSENT AGENDA</b>
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**Disbursement of Funds –  
Joint Investigation – O. R. No. 03-150497 –  
\$1,741.04 U. S. Currency**

**(M-6)**

A motion authorizing the equitable disbursement of funds in the amount of \$20,892.59, with each of the participating law enforcement agencies to receive \$1,741.04.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-05-03 from City Attorney.

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**Disbursement of Funds –  
Joint Investigation – O. R. No. 02-12508 - \$711.68 U. S. Currency**

**(M-7)**

A motion authorizing the equitable disbursement of funds in the amount of \$8,540.20, with each of the participating law enforcement agencies to receive \$711.68.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-05-04 from City Attorney.

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**Contract for Surveying Services – Stoner & Associates  
Project 10712 –Surveying and Mapping Services**

**(M-8)**

A motion authorizing and proper City officials to execute an agreement with Stoner & Associates for the Surveying and Mapping Services project

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-749 from Acting City Manager.

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**Contract Extension – F & L Construction, Inc.  
Project 10612-A – 2004/2005 Annual Contract  
for Concrete and Paving Stone Repair**

**(M-9)**

A motion authorizing the proper City officials to execute a one-year contract extension with F & L Construction, Inc. in the amount of \$128,000 for the 2004/2005 Annual Contract for Concrete and Paving Stone Repair project.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-745 from Acting City Manager.

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**Task Order No. 04-01 – Hazen & Sawyer, P.C.  
Project 10508 – Phase II Upgrades at Fiveash Water Treatment Plant**

**(M-10)**

A motion authorizing the proper City officials to execute Task Order No. 04-01 with Hazen & Sawyer, P.C., in an amount not to exceed \$775,890 for engineering services related to the Phase II Upgrades at the Fiveash Water Treatment Plant.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-741 from Acting City Manager.

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**CONSENT AGENDA**

**Rejection of Bids – Project 10817 – 2004/2005 Annual Storm Sewer Contract** **(M-11)**

A motion authorizing the proper City officials to reject all bids received on May 19, 2004 for Project 10817, 2004/2005 Annual Storm Sewer Contract.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-737 from Acting City Manager.

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**Notice to Proceed with Performance Demonstration Pilot Test – Hydranautics** **(M-12)**  
**Project 10454 – Peele-Dixie WTP Membrane Elements Procurement**

A motion authorizing the proper City officials to issue a Notice to Proceed with Performance Demonstration Pilot Test to Hydranautics in association with the Peele Dixie WTP Membrane Elements Procurement project.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-740 from Acting City Manager.

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**Agreement - North Broward Hospital District –** **(M-13)**  
**Fitness/Wellness/Healing Arts Classes**

A motion authorizing the proper City officials to execute an agreement with the **North Broward Hospital District from July 1, 2004 through June 30, 2005** to conduct Fitness and Wellness at the Beach Community Center.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-819 from Acting City Manager.

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**Contract Award to MBR Construction, Inc.**  
**and Approval of First Amendment to Joint Project Agreement with DDA** **(M-14)**  
**Project 15393 – SE/SW 2<sup>nd</sup> Street Corridor Streetscape Improvements**

- a) A motion authorizing the proper City officials to execute an agreement with MBR Construction, Inc. in the amount of \$3,859,046 for the SE/SW 2<sup>nd</sup> Street Corridor Streetscape Improvements project
- b) and (b) a motion to approve a First Amendment to the current contract with the Downtown Development Authority (DDA)

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-733 from Acting City Manager.

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<b>PURCHASING AGENDA</b>
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**Proprietary – Management In-Basket Examinations****(Pur-1)**

An agreement to purchase general management in-basket and other supervisory examinations is being presented for approval by the Administrative Services, Human Resources Division.

Vendor: Management & Personnel Systems, Inc.  
Walnut Creek, CA  
Amount: \$ 40,000.00 (estimated)  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 04-516 from Acting City Manager

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

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**Proprietary – Software Upgrade and Computer Hardware****(Pur-2)**

An agreement to purchase software upgrade and related computer hardware is being presented for approval by the Administrative Services, Procurement and Materials Management Division.

Vendor: Periscope Holdings, Inc.  
Austin, TX  
Dell Marketing, LLP  
Dallas, TX  
Amount: \$ 30,000.00 (estimated not to exceed)  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 04-805 from Acting City Manager

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

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**Co-Op Contract – Diesel Fuel, Transport and Tankwagon****(Pur-3)**

One-year contract for diesel fuel, transport and tank wagon delivery is being presented for approval for citywide use.

Vendor: Ryder Energy Distribution Corporation  
Fort Wayne, IN  
Macmillan Oil Company of Florida, Inc.  
Hialeah, FL  
Port Consolidated, Inc.  
Fort Lauderdale, FL  
Amount: Per Firm Markup  
Bids Solicited/Rec'd: 37/9 with 3 no bids  
Exhibits: Memorandum No. 04-831 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving the purchase from the Southeast Florida Governmental Purchasing Co-Op contract

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<b>PURCHASING AGENDA</b>
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**432-8883 – Contract Extension – Turf Grass Maintenance****(Pur-4)**

One-year contract extension for turf grass maintenance is being presented for approval by the Public Services Department.

Vendor:	Sonny's Total Landscaping, Inc. (MBE) Oakland Park, FL
Amount:	\$ 29,500.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-837 Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving the contract extension.

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**622-8651 – Contract Extension – Anhydrous Ammonia****(Pur-5)**

One-year contract extension for anhydrous ammonia is being presented for approval by the Public Services Department.

Vendor:	Tanner Industries, Inc. Southampton, PA
Amount:	\$ 45,600.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-836 Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving the contract extension.

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**Emergency purchase of Sleeves and Ring Kits****(Pur-6)**

An emergency purchase of sleeves and ring kits is being presented for approval by the Public Services Department.

Vendor:	Ferguson Enterprises, Inc. Pompano Beach, FL
Amount:	\$ 14,800.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-832 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving the emergency purchase.

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## PURCHASING AGENDA

### **Proprietary – Annual Computer Maintenance Agreement**

**(Pur-7)**

An agreement to purchase an annual maintenance agreement is being presented for approval by the Public Services Department.

Vendor:	Hansen Information Technologies Corp. Sacramento, CA
Amount:	\$ 87,970.00
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-798 from Acting City Manager

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

### **Hollywood Contract – Lab Testing Services**

**(Pur-8)**

An agreement to purchase lab-testing services is being presented for approval by the Public Services Department.

Vendor:	U.S. Biosystems Boca Raton, FL
Amount:	\$ 35,000.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-776 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving the purchase from the City of Hollywood contract

### **Co-Op Contract – Photographic Film**

**(Pur-9)**

One-year contract for photographic film is being presented for approval for citywide use.

Vendor:	HPI International, Inc. Brooklyn, NY Dixie Sales Company USA, Inc. Jacksonville, FL
Amount:	Per Unit Pricing
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-813 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving the purchase from the Southeast Florida Governmental Purchasing Co-Op contract

**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.

**Amendment to Air & Sea Show Agreement**

**(M-15)**

A motion authorizing the proper City officials to amend the Air & Sea Show Agreement or in alternative, to terminate the Agreement.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 04-814 from Acting City Manager.

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**Fiscal Year 2003-2004 Budget Amendment**

**(M-16)**

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

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 04-839 from Acting City Manager.

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**PUBLIC HEARINGS**

**Application for Dock Waiver of Distance Limitations -  
Larry Spring and Deborah Spring – 3013 NE 20 Court**

**(PH-1)**

A public hearing to consider a resolution for an application from Larry Spring and Deborah Spring, for a dock waiver of limitations under Section 47-19.3.D of the Code of Ordinances for property located at 3013 NE 20 Court. Notice of public hearing was published June 3 and 10, 2004.

**Recommend:** Open hearing; close hearing; introduce resolution.

**Exhibit:** Memo No. 04-580 from City Manager.

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**Appeal of May 3, 2004 Historic Preservation Board (HPB) decision  
1001-1009 SW 4<sup>th</sup> Street (HPB Case No. 8-H-04 SB)**

**(PH-2)**

The applicant has appealed the HPB decision at its May 3, 2004 meeting to deny (2-6) the request for COA's for Demolition of one (1) structure, Relocation of two (2) structures and New Construction of a total of nine (9) townhouses.

Applicant: Patricia Moss  
Request: Appeal of HPB decision to deny request for COA's  
Location: 1001-1009 SW 4<sup>th</sup> Street

Pursuant to Section 47-26.B.1, the City Commission shall hold a public meeting to determine whether:

- a) there was a substantial departure from the essential requirements of law in the proceedings appealed, or
- b) competent substantial evidence does not exist to support such a decision.

**Recommend:** If the City Commission determines that neither (a) nor (b) were present, then

- 1) Introduce motion to uphold the Planning and Zoning Board decision.

If the City Commission finds that either (a) or (b) occurred, then

- 2) Introduce Resolution setting date for Public Hearing for July 20, 2004.

**Exhibit:** Memo No. 04-853 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.

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**PUBLIC HEARINGS**

**Historic Designation of Property  
at 828 SE 4<sup>th</sup> Street (HPB Case No. 30-H-02)**

**(PH-3)**

This is a request to grant historic designation (landmark) status to the property located at 828 SE 4<sup>th</sup> Street. On December 9, 2002, the Historic Preservation Board by a vote of 7-0 recommended that the City Commission approve the historic designation of the subject property

Applicant: The John Needham House  
Request: Historic Designation  
Location: 828 SE 4<sup>th</sup> Street

**Recommend:** Motion to approve  
**Exhibit:** Memo No. 04-848 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.

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**Rezoning; 221-229 SE 12 Avenue  
PZ Case No. 4-Z-04**

**(PH-4)**

At the Planning and Zoning Board regular meeting on March 17, 2004, it was recommended by a 6 to 1 vote, that the following application be approved. Notice of public hearing was published on June 3 and 10, 2004.

Applicant: G. Brett and Caroline D. Bass  
Request: Rezone from RC-15 to RM-15  
Location: 221 – 229 SE 12 Avenue

**Recommend:** Introduce ordinance on first reading  
**Exhibit:** Memo No. 04-759 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.

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**ORDINANCES**

**Amendment to Code of Ordinances –  
Section 2-180 – Formal Bid Procedure & Section 2-170 - Applicability (O-1)**

An ordinance amending section 2-180 Formal Bid Procedure and Section 2-170, Applicability. Notice of ordinance was published on May 23, 2004. The first reading was approved on June 2, 2004 by a vote of 5-0.

**Recommend:** Introduce ordinance on second reading.  
**Exhibit:** Memo No. 04-852 from Acting City Manager; and  
Memo No. 04-620 from Acting City Manager

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**Adoption of amendments to the City of Fort Lauderdale Future Land Use Map and Comprehensive Plan (O-2)**

First reading of ordinance adopting amendments to  
City of Fort Lauderdale Future Land Use Map and Comprehensive Plan text

**Recommend:** Introduce ordinance on first reading.  
**Exhibit:** Memo No. 04-761 from Acting City Manager

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**Allocation of -  
Downtown Regional Activity Center dwelling units (O-3)**

Recommend approval of first reading of an ordinance providing for  
a process and requirements for the allocation of Downtown Regional Activity Center dwelling units.  
Notice of ordinance was published on June 5, 2004.

**Recommend:** Introduce ordinance on first reading.  
**Exhibit:** Memo No. 04-878 from Acting City Manager

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**RESOLUTIONS**

**Water and Wastewater Capital Improvement Program WaterWorks 2011 – State Revolving Fund Construction Loan Agreement**

**(R-1)**

A resolution authorizing the proper City officials to execute a construction loan agreement through the State Revolving Fund program for pollution control facilities.

**Recommend:** Introduce resolution.

**Exhibit:** Memo No. 04-742 from Acting City Manager

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**Reschedule July 6, 2004 City Commission Conference and Regular Meetings to July 7, 2004**

**(R-2)**

A resolution authorizing the Tuesday, July 6, 2004 City Commission Conference and Regular meetings to be rescheduled to Wednesday, July 7, 2004.

**Recommend:** Introduce resolution.

**Exhibit:** Memo No. 04-891 from City Clerk.

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**Site Plan Review/Allocation of Sixty-nine (69) Dwelling Units/RAC-CC – Winter Haven Lofts (DRC Case 11-R-04)**

**(R-3)**

Pursuant to ULDR Sec 47-13.20, The Winter Haven Lofts Development has been reviewed by the Development Review Committee, and must be reviewed and approved by the City Commission in order for dwelling units to be allocated from the new units added to the Downtown RAC in November 2003.

Applicant: Sidney M. & Stewart A. Robin; Hermop, Inc. and Las Olas Properties, Inc.

Request: Site Plan Review/Allocation of Sixty-nine (69) Dwelling Units/RAC-CC

Location: 401-409 N.E. 3 Street

**Recommend:** Introduce resolution.

**Exhibit:** Memo No. 04-827 from Acting City Manager

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**City Cemeteries General Price List**

**(R-4)**

A resolution authorizing the proper City officials to approve the general price list for the City Cemeteries, effective July 1, 2004.

**Recommend:** Introduce resolution.

**Exhibit:** Memo No. 04-810 from Acting City Manager

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