

**CITY COMMISSION REGULAR MEETING AGENDA
OCTOBER 5, 2004 - 6:00 P.M.**

Roll Call

Invocation -

**Reverend Grant Lynn Ford
Sunshine Cathedral/Metropolitan Community Church**

Pledge of Allegiance

Approval of Minutes and Agenda – September 8, 2004 Regular Meeting;
September 13, 2004 Special Conference Meeting

PRESENTATIONS

1. The Mayor and City Commissioners will present an Expression of Sympathy to the family of Kenneth Teel.
2. The Mayor and City Commissioners will accept a check in the amount of \$20,000 from the Junior League of Greater Fort Lauderdale for the play station at Holiday Park. The check will be presented by Suzanne McCawley, Junior League President.
3. The Mayor and City Commissioners will accept a check in the amount of \$200,000 from the Florida Department of Environmental Protection to assist in the development of Riverland Park Phase I on behalf of the Florida Recreation Development Assistance Program. The check will be presented by State Representative Chris Smith.
4. The Mayor and City Commissioners will read aloud and present a Proclamation to recognize National Customer Services Appreciation Week to be observed October 4-8, 2004. The proclamation will be presented to Karen Garrard, Julie Leonard and Alexandria Woolweaver.
5. The Mayor and City Commissioners will recognize Outstanding City Employees.
6. The Mayor and City Commissioners will demonstrate the proper way to test a smoke detector.

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 - Fall Carnival Our Lady Queen of Martyrs Church

(M-1)

A motion authorizing and approving the execution of an Event Agreement with Our Lady Queen of Martyrs Church to indemnify, protect and hold harmless the City from any liability in connection with the Fall Carnival to be held Thursday, November 4, 2004, 6-10 p.m.; Friday, November 5, 2004, 5-11 p.m.; Saturday, November 6, 2004, 12 noon-11 p.m.; & Sunday, November 7, 2004, 12 noon-10 p.m.; and authorizing the closing of SW 11 Court from SW 27 Avenue to SW 28 Avenue from 9 a.m., Monday, November 1, 2004 to 5 p.m. , Monday, November 8, 2004

Recommend: Motion to approve.

Exhibit: Memo No. 04-1301 from City Manager.

Event Agreement – Making Strides Against Breast Cancer American Cancer Society Florida Division, Inc.

(M-2)

A motion authorizing and approving the execution of an Event Agreement with the American Cancer Society Florida Division, Inc. to indemnify, protect and hold harmless the City from any liability in connection with Making Strides Against Breast Cancer to be held at Huizenga Plaza, Riverwalk, and downtown area sidewalks on Saturday, October 16, 2004, from 7 a.m. to 1 p.m.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1300 from City Manager.

Event Agreement – Christmas on Las Olas Las Olas Association, Inc.

(M-3)

A motion authorizing and approving the execution of an Event Agreement with Las Olas Association, Inc. to indemnify, protect and hold harmless the City from any liability in connection with Christmas on Las Olas to be held on Tuesday, November 30, 2004, 6-10 p.m.; and authorizing the closing of east Las Olas Boulevard from SE 6 Avenue to SE 11 Avenue, and SE 8 Avenue, SE 9 Avenue and SE 10 Terrace from east Las Olas north and south to the alley on each side, 12 noon-11 p.m., on Tuesday, November 30, 2004.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1302 from City Manager.

CONSENT AGENDA

Event Agreement – Fort Lauderdale International Film Festival’s Closing Night Party
Broward County Film Society, Inc.

(M-4)

A motion authorizing and approving the execution of an Event Agreement with the Broward County Film Society, Inc. to indemnify, protect and hold harmless the City from any liability in connection with Fort Lauderdale International Film Festival’s Closing Night Party to be held on Saturday, November 13, 2004, 8 p.m.-12 midnight at South Beach.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1363 from City Manager.

Event Agreement – Broward Carnival
Broward Carnival, Inc.

(M-5)

A motion authorizing and approving the execution of an Event Agreement with Broward Carnival, Inc. to indemnify, protect and hold harmless the City from any liability in connection with Broward Carnival to be held at the Fort Lauderdale Stadium Festival site on Friday, October 8, 2004, 9 p.m.-1 a.m.; Saturday, October 9, 2004, 6 a.m.-11 p.m., and Sunday, October 10, 2004, 11 a.m.-11 p.m.; and authorizing the closing of NW 12 Avenue/NW 10 Terrace from Cypress Creek Road to NW 53 Street 11 a.m.-8 p.m. on Sunday, October 10, 2004 only for the Broward Carnival Parade.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1303 from City Manager.

Event Agreement –Veterans Day Parade and Celebration
Vietnam Veterans of America Chapter 23

(M-6)

A motion authorizing and approving the execution of an Event Agreement with Vietnam Veterans of America Chapter 23 to indemnify, protect and hold harmless the City from any liability in connection with the Veterans Day Parade and Celebration to be held on Thursday, November 11, 2004, 8:30 a.m.- 5 p.m.; and authorizing the closing of City roads in the following parade route: beginning at Holiday Park at 10 a.m. and going west on Ninninger Drive/NE 8 Street to NE 3 Avenue, south to Broward Boulevard, west to SW 1 Avenue and south to end at Las Olas Riverfront.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1361 from City Manager.

Event Agreement – 22nd Annual Halloween Costume Contest
Roscoe LLC

(M-7)

A motion authorizing and approving the execution of an Event Agreement with Roscoe LLC to indemnify, protect and hold harmless the City from any liability in connection with the 22nd Annual Halloween Costume Contest and Party at Shooters/Caribbean Corner to be held on Friday, October 29, 2004, 6 p.m.- 12 midnight; and authorizing the closing of NE 32 Avenue from the south edge of Shooters/Bridgeside Place Valet entrance to the south side of the Shooters/Caribbean Corner property line, from 5 p.m., October 29, 2004 to 1 a.m., October 30, 2004.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1362 from City Manager.

CONSENT AGENDA

Lease Agreement – School Board of Broward County
Property at Corner of Davie Boulevard Extension & SW 42 Avenue

(M-8)

A motion authorizing and approving the execution of a 50-year Lease Agreement with the School Board of Broward County for property located at the corner of David Boulevard Extension and SW 42 Avenue used for well fields at a cost of \$1 per year.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1318 from City Manager.

Davie Boulevard Corridor Master Plan
Steering Committee Membership

(M-9)

A motion appointing the Steering Committee membership to provide community perspective concerning the Davie Boulevard Corridor Master Plan.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1387 from City Manager.

Grant Acceptance – U.S. Department of Justice
GREAT Grant - \$63,750

(M-10)

A motion approving acceptance of the U.S. Department of Justice, Bureau of Justice Assistance in Support of the GREAT Program grant in the amount of \$63,750; and authorizing proper City Officials to execute all necessary documents to receive and expend the grant funds.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1339 from City Manager.

Task Order No. 44 – Camp dresser & McKee, Inc. - \$595,791
Wastewater Pump Station Upgrades Phase 1

(M-11)

A motion authorizing the proper City Officials to execute Task Order No. 44 with Camp Dresser & McKee, Inc. in the amount of \$595,791 for design and construction inspection services associated with improvements at nine wastewater pump stations.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1321 from City Manager.

Work Authorization 16724.84 – Keith and Schnars, P.A. - \$111,512
Sistrunk Boulevard Water Main Design Services – Project 10830

(M-12)

A motion authorizing the proper City Officials to execute Work Authorization 16724.84 with Keith and Schnars, P.A. in the amount of \$111,512, for Sistrunk Boulevard water main design services

Recommend: Motion to approve.
Exhibit: Memo No. 04-1323 from City Manager.

CONSENT AGENDA

Amendment No. 2, Task Order 29 – Camp Dresser & McKee, Inc. - \$56,943
Mola Avenue & Isle of Capri & Coconut Isle
Wastewater & Water System Improvements – Project 10626

(M-13)

A motion authorizing the Amendment No. 2 to Task Order 29 with Camp Dresser & McKee, Inc. in the amount of \$56,943 for design and construction services associated with water and wastewater improvements on Mola Avenue, Isle of Capri and Coconut Isle

Recommend: Motion to approve.

Exhibit: Memo No. 04-1322 from City Manager

Amendment No. 1, Task Order 38 – Camp Dresser & McKee, Inc. - \$49,727
G.T. Lohmeyer Regional Wastewater Treatment Plant
Deep Injection Well Mechanical Integrity Testing (P10764)

(M-14)

A motion authorizing Amendment No. 1 to Task Order 38 with Camp Dresser & McKee, Inc. in the amount of \$49,727 to provide for the next step in the FDEP Well Operating Permit process: 5 year analysis and reporting of monitoring well sampling data.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1324 from City Manager

Five-Year Capital Improvement Plan

(M-15)

A motion approving the Five-Year Capital Improvement Plan.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1358 from City Manager

PURCHASING AGENDA

442-9081 – Motor Rewind Services

(Pur- 1)

One-year contract for motor rewind services is being presented for approval by the Public Works Department.

Vendor: Tampa Armature Works, Inc.
Miami, FL

Amount: \$ 39,340.00 (estimated)

Bids Solicited/Rec'd: 19/5

Exhibits: Memorandum No. 04-1378 from City Manager

The Procurement Department recommends awarding to the low responsive and responsible bidder.

PURCHASING AGENDA

512-8415 – City Clerk Agenda Management System

(Pur- 2)

An agreement to purchase a City Clerk agenda management system is being presented for approval by the City Clerk's Office.

Vendor:	eiStream Identitech, Inc. Dallas, TX
Amount:	\$ 70,000.00
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-1376 from City Manager

The Procurement Department recommends approving the purchase from the City contract.

Proprietary – Maintenance Renewals for Police Systems

(Pur- 3)

An agreement to purchase maintenance renewals for police systems is being presented for approval by the Police Department.

Vendor:	Smart Business Systems Tampa, FL Analysis Central Systems Tiburon, CA PC Professionals, Inc. Lakewood, WA Tiburon, Inc. Fremont, CA
Amount:	\$ 99,344.38
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-1360 from City Manager

The Procurement Department reviewed this item and recommends approving the proprietary purchase.

432-8904 – Security Guard Services

(Pur-4)

An agreement to purchase additional security guard services is being presented for approval by the Public Works Department.

Vendor:	Sereca Security Corp. (MBE) Miami, FL
Amount:	\$ 61,932.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-1320 from City Manager

The Procurement Department reviewed this item and recommends approving increase for additional services.

PURCHASING AGENDA

Proprietary – Disposal of Street Sweeping Material

(Pur- 5)

An agreement to purchase services for the disposal of street sweeping material and storm drain cleaning debris is being presented for approval by the Public Works, Sanitation Division.

Vendor:	Central Sanitary Landfill Pompano Beach, FL
Amount:	\$ 87,550.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-1239 from City Manager

The Procurement Department reviewed this item and recommends approving the proprietary agreement.

Ductile Iron and PVC Pipe

(Pur-6)

An agreement to purchase ductile iron and PVC pipe with waiver of formal bid requirements is being presented for approval by the Public Works Department.

Vendor:	To be determined
Amount:	\$ 300,000.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-1298 from City Manager

The Procurement Department reviewed this item and recommends approving the waiver of formal bid requirements.

442-9083 – Flexible Couplings

(Pur-7)

One-year contract for flexible couplings is being presented for approval by the Public Works Department.

Vendor:	Lion Plumbing, Inc. Miami, FL Hughes Supply Pompano Beach, FL Ferguson Waterworks Pompano Beach, FL
Amount:	\$ 39,456.00 (estimated)
Bids Solicited/Rec'd:	62/5 with 1 no bids
Exhibits:	Memorandum No. 04-1377 from City Manager

The Procurement Department recommends awarding to the low 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.

Workers' Compensation Settlement - File WC-00-10399
Donnell Bryant - \$250,000

(M-16)

A motion approving a proposed Settlement Agreement between Donnel Bryant and the City.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1343 from City Manager.

Proposed Expansion of First Baptist Church
415 East Broward Boulevard – Request to set Public Hearing
& refer to Development Review Committee; Case 34-R-04

(M-17)

A motion to approve City Commission request for review of proposed expansion of the First Baptist Church of Fort Lauderdale to be heard no later than the November 16, 2004 Commission meeting and refer the case back to Development Review Committee.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1366 from City Manager.

PUBLIC HEARINGS

Appeal of Planning & Zoning Board Decision
Inwood Property Investments; Case 10-P-03
SE 18 Avenue – Hendricks Isle

(PH-1)

At the June 16, 2004 Planning & Zoning Board meeting, the application was denied by a vote of 6 to 2. The applicant has appealed the Planning & Zoning Board decision.

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.

APPLICANT HAS REQUESTED DEFERRAL TO FIRST MEETING IN NOVEMBER, 2004

PUBLIC HEARINGS

Recommend: 1. If the City Commission determines that neither (a) nor (b) were present, then

Introduce motion to uphold the Planning & Zoning Board decision, or

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

a. **Hold de novo Public Hearing at this time**

b. **Introduce ordinance vacating the right of way**

Exhibit: Memo No. 04-1017 from City Manager

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.

**NE 33 Avenue Neighborhood Improvement Special Assessment
Final Assessment Roll; Project 10247 - Dolphin Isles**

(PH-2)

NE 33 Avenue Neighborhood Improvement Special Assessment Project including safety, security, entranceway features and signage, traffic speed and flow, pedestrian facilities, decorative lighting and enhanced landscaping.

Recommend:

1. Open hearing; close hearing
2. Adopt resolution approving project
3. Open Equalization Board hearing; close hearing
4. Adopt resolution approving final assessment roll

Exhibit: Memo No. 04-1079 from City Manager

ORDINANCES

Board of Adjustment Meeting Procedures**(O-1)**

An ordinance, amending Section 47-33.6 of the Unified Land Development Regulations to provide exceptions to the Board of Adjustment's regular second Wednesday meeting dates, and to eliminate the specified 7:30 p.m. meeting time. Notice was published September 11, 2004.

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 04-1375 from City Manager.

Pay Plan Amendment**(O-2)**

An ordinance providing for addition of an assignment pay in special pay practices, Section I, and amending Section 74, Assignment Pay, of the Code of Ordinances.

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 04-1381 from City Manager.

Occupational License Tax Increase**(O-3)**

An ordinance amending Chapter 15, Article II of the Code of Ordinances, increasing occupational license tax. Notice was published September 11, 2004.

A 4/5 majority vote is required for passage of this ordinance.

Recommend: Defer to October 19, 2004.

Exhibit: Memo No. 04-1385 from City Manager.

Code Enforcement; Reasonable Time to Correct Alleged Violations**(O-4)**

An ordinance, amending Section 11-10 of the Code of Ordinances regarding reasonable time for correcting alleged code violations. Notice was published September 11, 2004.

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 04-1333 from City Attorney.

Rental Cars with Chauffeurs & Sightseeing Vehicles**(O-5)**

An ordinance amending Chapter 27, Article V of the Code of Ordinance, Rental Cars with Chauffeurs and Sightseeing Vehicles. Notice was published September 11, 2004.

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 04-1384 from City Manager.

ORDINANCES

Garage, Yard and other Occasional Sales

(O-6)

An ordinance creating Article V, Sections 23-117 through 23-126, Garage, Yard and other Occasional Sales, in the Code of Ordinances. Notice was published September 11, 2004.

Recommend: Introduce ordinance on first reading..

Exhibit: Memo No. 04-1383 from City Manager.

Amendment t to Transportation Element, Comprehensive Plan

(O-7)

An ordinance amending the Comprehensive Plan to adopt the Transportation Element to replace the traffic circulation, mass transit, and ports, aviation and related facilities elements and updating and including new goals and policies. Notice was published September 25, 2004.

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 04-1208 from City Manager

Message Center Signs

(O-8)

An ordinance amending Section 47-22 of the Unified Land Development Regulations to permit message center signs at facilities that seat less than twenty thousand persons.

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 04-1402 from 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.

1. Anthony Armao – Water Skiing, Sylvan Lake

Exhibit: Application for Citizen Presentation

RESOLUTIONS

**American Dream Campaign
National League of Cities**

(R-1)

Adopt resolution joining the National League of Cities in encouraging participation in the American Dream Campaign.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-1388 from City Manager

**Lincoln Park Environmental Issues; Project 10536
Troutman Sanders, LLP – Increase in Scope of Services - \$15,000**

(R-2)

Adopt resolution authorizing transfer of \$15,000 from Sanitation Retained Earnings Account FD409.01 to Lincoln Park Environmental Issues, P10536.409, to fund additional services of Troutman Sanders, LLP, for Lincoln Park, and authorize those services to be performed by Troutman Sanders.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-1168 from City Manager

**Peele Dixie Wellfield; Project 9325-B
Troutman Sanders, LLP – Increase in Scope of Services - \$25,000**

(R-3)

Adopt resolution authorizing transfer of \$25,000 from P00397, Peele Dixie Rehabilitation, to P09325.331, Peele Dixie Wellfield Contamination, to fund additional services of Troutman Sanders, LLP, for Peele Dixie Wellfield, and authorize those services to be performed by Troutman Sanders.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-1225 from City Manager

**Faith Farm/Powerline Plat Modification – Faith Farm Ministries
801 & 807 NW 19 Street**

(R-4)

Request for reconsideration of deferral motion passed on September 21, 2004 concerning a resolution expressing no objection to a change in the conditions of the Faith Farm/Powerline Plat to maintain the existing 40' opening serving 807 N.W. 19 Street and support a non-vehicular access line on the remainder of the south line of the plat.

Exhibit: Memo. No. 04-1242 from City Manager.
