

**CITY COMMISSION REGULAR MEETING AGENDA
NOVEMBER 1, 2004 - 6:00 P.M.**

Roll Call

Invocation: **Stuart Dugan, Associate Pastor
First Presbyterian Church**

Pledge of Allegiance

**Approval of Minutes and Agenda – September 21, 2004 Conference
September 21, 2004 Regular
October 5, 2004 Conference
October 5, 2004 Regular**

PRESENTATIONS

1. The Mayor and City Commissioners will recognize the **Outstanding City Employees**.
2. 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 – Orange Bowl Beach Bash

(M-1)

A motion authorizing and approving the execution of an Event Agreement with the Orange Bowl Committee to indemnify, protect, and hold harmless the City from any liability in connection with the Orange Bowl Beach Bash, to be held Wednesday, December 29, 2004, 2 p.m.-5 p.m. at South Beach.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1487 from City Manager.

Event Agreement – Healthy Lifestyle Longer Life Health Event

(M-2)

A motion authorizing and approving the execution of an Event Agreement with Fort Lauderdale Seventh Day Adventist Church – Affiliate of Florida Conference of Seventh Day Adventists to indemnify, protect and hold harmless the City from any liability in connection with the Healthy Lifestyle Longer Life Health Event to be held on church property at 850 West Davie Boulevard, on Sunday, November 7, 2004, 12 noon – 5 p.m.; and authorizing the closing of SW 12 Court from SW 9 Avenue to the east end of church property (approximately ½ block) 8 a.m. – 8 p.m.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1423 from City Manager.

CONSENT AGENDA

Event Agreement – APFL AIDS 5K Run and Walk**(M-3)**

A motion authorizing and approving the execution of an Event Agreement with Community Healthcare Center One, Inc. d/b/a AIDS Project Florida to indemnify, protect and hold harmless the City from any liability in connection with the APFL AIDS 5K Run and Walk to be held at Fort Lauderdale's South Beach and the northbound curb lane of A-1-A on Saturday, December 11, 2004, 7:30 a.m.-9 a.m.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-1421 from City Manager.**Event Agreement – U.S. Military Vets MC Annual Party****(M-4)**

A motion authorizing and approving the execution of an Event Agreement with U.S. Military Vets M/C, Inc. to indemnify, protect and hold harmless the City from any liability in connection with the U.S. Military Vets MC Annual Party to be held Sunday, November 7, 2004, 11 a.m.-9 p.m.; and authorizing the closing of Sunrise Lane from NE 9 Street, north to Sunrise Boulevard, 7 a.m.-11 p.m.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-1422 from City Manager.**Event Agreement – 26th Annual Greek Festival****(M-5)**

A motion authorizing and approving the execution of an Event Agreement with St. Demetrios Greek Orthodox Community of Broward County, Inc. to indemnify, protect and hold harmless the City from any liability in connection with the 26th Annual Greek Festival, to be held Friday and Saturday, January 21 and 22, 2005, 11 a.m.-11 p.m., and Sunday, January 23, 2005, 12 noon-8 p.m. on the church grounds at 815 NE 15 Avenue.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-1488 from City Manager.**Grant Acceptance – \$250,000****(M-6)****Metropolitan Medical Response System Program**

A motion approving the acceptance of a grant from U.S. Department of Homeland Security, FEMA, in the amount of \$250,000 relating to Fiscal Year 2004 Metropolitan Medical Response System Program, and authorizing the proper City Officials to execute all necessary documents.

Funds: GMMRS06 - Revenue**Recommend:** Motion to approve.**Exhibit:** Memo No. 04-1494 from City Manager

CONSENT AGENDA

Youth Motivation Program - \$136,100**(M-7)**

A motion authorizing appropriation and transfer of \$27,100 from General Fund FD001, 9129, to Miscellaneous Grants, 129, GYMTH05-Revenue, effective October 1, 2004; and authorizing the proper City Officials to execute all necessary documents to receive and expend \$136,100 for Fiscal Year 2004-2005 Youth Motivation Program.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-1338 from City Manager**Performing Arts Center – Fiscal Responsibilities
Tri-Party Agreement; Fiscal Year 2004-2005****(M-8)**

A motion authorizing the proper City Officials to execute a tri-party agreement with the Performing Arts Center Authority and Broward County, for a term retroactive to October 1, 2004 through September 30, 2005, for financial assistance to the Performing Arts Center.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-1509 from City Manager**Contract Award – Florida Blacktop, Inc. - \$282,235
2004-2005 Annual Parking Lot Repairs Contract – Project 10857****(M-9)**

A motion authorizing the proper City Officials to execute a contract with Florida Blacktop, Inc. in the amount of \$282,235, for the annual parking lot repairs contract project.

Funds: See Bid Tab**Recommend:** Motion to approve.**Exhibit:** Memo No. 04-1319 from City Manager**Agreement – Instructional Swimming Services; Jack Nelson Swim School, Inc.****(M-10)**

A motion authorizing the proper City Officials to execute an agreement with the Jack Nelson Swim School, Inc. for instructional swimming services at the Fort Lauderdale Aquatic Complex.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-1519 from City Manager**Lease Agreement – Tree Nursery - \$8,268.75
Dania Farms, Inc. - 704 North Federal Highway, Dania Beach****(M-11)**

A motion authorizing the proper City Officials to execute a one-year lease agreement with Dania Farms, Inc. for property situated at 704 North Federal Highway in Dania Beach, Florida, to be used for horticultural purposes.

Recommend: Motion to approve.**Exhibit:** Memo No. 04-1502 from City Manager

CONSENT AGENDA

Change Order No. 1 – The Poole and Kent Company - \$362,781.95 (M-12)
Window Replacement – Fiveash Water Treatment Plant Upgrades Phase I

A motion authorizing the proper city Officials to execute Change Order No. 1 with The Poole and Kent Company, in the amount of \$362,781.95, for window replacement in the Fiveash Water Treatment Plant Upgrades Phase I.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 04-1454 from City Manager

Beach Wall Fiber Optic Lighting System Replacement - \$253,400 (M-13)
Proprietary Purchase – Fiberstars, Inc. – Project 10560

A motion authorizing the proper City Officials to execute an agreement with Fiberstars, Inc. in the amount of \$253,500 for the purchase of fiber optic lighting for the beach wall fiber optic lighting system replacement project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-1437 from City Manager

Change Order No. 1 – Seldin Construction Company, Inc. - \$21,739 (M-14)
War Memorial Auditorium Equipment Replacement & Maintenance – Project 10423
& adding 10 contract days

A motion authorizing the proper City Officials to execute Change Order No. 1 with Seldin Construction Company, Inc., in the amount of \$21,739, for removal of asbestos containing materials related to the War Memorial Auditorium Equipment Replacement and Maintenance Measures project and adding ten contract days.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 04-1333 from City Manager

Change Order No. 1 –Southern Metal Products - \$6,505 (M-15)
Police Station – Central Wing Hurricane Protection – Project 10591

A motion authorizing the proper City Officials to execute Change Order No. 1 with Southern Metal Products, in the amount of \$6,505, for increased material and mobilization costs associated with the Police Station, Central Wing Hurricane Protection Project 10591.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 04-1441 from City Manager

CONSENT AGENDA

Contract Award – Affordable Sprinklers, Inc. - \$54,500 (M-16)
Mills Pond Park Irrigation Pump Station Replacement – Project 10871

A motion authorizing the proper City Officials to execute an agreement with Affordable Sprinklers, Inc. in the amount of \$54,500 for the Mills Pond Park Irrigation Pump Station Replacement project.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 04-1442 from City Manager

Police Recruitment CD/DVD - \$10,933 (M-17)
Advanced Video Communications, Inc. - Transfer and Appropriation

A motion authorizing the appropriation and transfer of \$10,933 from the Federal Law Enforcement Trust Fund 107 to Account POL080101, 3299 for duplication and editing of a police recruitment CD/DVD by Advanced Video Communication, Inc.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 04-1475 from City Manager

Budget Amendment No. 10 – Fiscal Year 2003-2004 Budget (M-18)

A motion approving budget amendment no. 10 to the Fiscal Year 2003-2004 Budget to bring certain General Fund departments in line with their actual expenditures.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1492 from City Manager

Change Order No. 2 – Quality Communications Fire & Security, Inc. - \$35,650 (M-19)
Wastewater Facility Security – Project 10547 & adding 15 working days

A motion authorizing the proper City Officials to execute Change Order No. 2 with Quality Communications Fire & Security, Inc., in the amount of \$35,650, for the Water and Wastewater Facility Security Project 10547 and adding 15 working days to the period of construction.

Funds: See Change Order.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1455 from City Manager

PURCHASING AGENDA

572-7789 – Excess Workers Compensation Insurance

(Pur- 1)

Annual excess workers compensation insurance renewal is being presented for approval by the Finance Department.

Vendor: Arthur J. Gallagher & Company
Miami, FL
Amount: \$ 575,770.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-1511 from City Manager

The Procurement Services Department reviewed this item and recommends approving the annual renewal.

552-9094 – Contract, Prescription Benefit Services

(Pur- 2)

A three-year agreement for prescription benefit services is being presented for approval by the Finance Department.

Vendor: Catalyst RX
Rockville, MD
Amount: \$ 43,032.00 (estimated annual)
Bids Solicited/Rec'd: 40/3 with 1 no bid
Exhibits: Memorandum No. 04-1485 from City Manager

The Procurement Services Department reviewed this item and recommends awarding the contract to the first ranked proposer.

Contract, Police Car Rental Services

(Pur- 3)

A sixteen-month contract for Police car rental services is being presented for approval by the Police Department.

Vendor: Royal Rent-A-Car Systems of Florida, Inc.
Miami, FL
Amount: \$ 57,337.97 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-1340 from City Manager

The Procurement Department has reviewed this item and recommends awarding contract from the City of Hollywood bid.

PURCHASING AGENDA

742-9052 – Contract, Solid Waste Collection

(Pur- 4)

An addition to the three-year contract for solid waste collection is being presented for approval by the Public Works Department.

Vendor: Waste Management, Inc. of Florida
Pompano Beach, FL

Amount: \$ 1,063,577.00 (estimated annual increase)

Bids Solicited/Rec'd: 48/3 2 no bids

Exhibits: Memorandum No. 04-1443 from City Manager

The Procurement Services Department reviewed this item and recommends awarding Option II to low responsive and responsible bidder.

Proprietary – Maintenance Fire/EMS ADAM and CAS Analyst

(Pur- 5)

Annual maintenance for Fire/EMS ADAM and CAD analyst is being presented for approval by the Police Department.

Vendor: Deccan, Inc.
San Diego, CA

Amount: \$ 16,335.00

Bids Solicited/Rec'd: N/A

Exhibit: Memorandum No. 04-1473 from City Manager

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

2004-05 Supplemental Fleet Plan

(Pur- 6)

An agreement to purchase 18 additional vehicles and equipment for fiscal year 2004-05 supplemental Fleet Plan is being presented for approval by the Parking and Fleet Services Department.

Amount: \$621,500.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Memorandum No. 04-1500 from City Manager

The Procurement Services Department reviewed this item and recommends approving the supplemental Fleet Plan purchases for fiscal year 2004-05.

PURCHASING AGENDA

532-8739 – Employee Dental Insurance Benefits**(Pur- 7)**

A change in terms for employee dental insurance benefits is being presented for approval by the Finance Department.

Vendor:	The Guardian Life Insurance Co. of America Plantation, FL
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 04-1379 from City Manager

The Procurement Services Department reviewed this item and recommends approving the change in contract terms.

Contract, Sludge Disposal Services**(Pur- 8)**

A five-year contract for sludge disposal services is being presented for approval by the Public Works Department.

Vendor:	Synagro Southeast, Inc. Winston-Salem, NC
Amount:	\$ 2,678,000.00 (estimated annual)
Bids Solicited/Rec'd:	52/2 with 1 no bid and 1 late bid
Exhibits:	Memorandum No. 04-1401 from City Manager

The Procurement Services Department reviewed this item and recommends awarding to the first ranked proposer.

552-9097 – Contract, Employee Voluntary Benefits Services**(Pur- 9)**

Three-year contract for employee voluntary benefits services and amend agreement with More Financial Services is being presented for approval by the Finance Department.

Vendor:	Colonial Life & Accident Insurance Company Columbia, SC Tilton Associates, Inc. (WBE) (broker for Colonial) Coconut Creek, FL More Financial Services, Inc. (MBE) (broker for Colonial & Hartford) Margate, FL
Bids Solicited/Rec'd:	148/6
Exhibit:	Memorandum No. 04-1481 from City Manager

The Procurement Services Department reviewed this item and recommends approving award to the first ranked proposer and amend agreement with More Financial Services.

PUBLIC HEARINGS

Appeal of Planning & Zoning Board Decision – Inwood Property Investments (PH-1)
SE 18 Avenue – Vacation of Right of Way – Case 10-P-03

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.

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**
 - c. **Or, Introduce resolution setting Public Hearing**

Exhibit: Memo No. 04-1548 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.

PUBLIC HEARINGS

Appeal of Planning & Zoning Board Decision – William Vaccaro (PH-2)
NE 15 Avenue & NE 8 Street – Vacation of Right of Way - Case 20-P-03

At the July 21, 2004 Planning & Zoning Board meeting, the application was denied by a vote of 7-0. 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.

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**
 - c. **Or, Introduce resolution setting Public Hearing**

Exhibit: Memo No. 04-1189 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.

Historic Designation of The John Needham House (PH-3)
828 SE 4th Street – Case 30-H-02

A public hearing to consider a resolution granting historic designation for landmark status to The John Needham House, located at 828 SE 4th Street, which was recommended for approval on December 9, 2002 by the Historic Preservation Board by a vote of 7-0.

Applicant: City of Fort Lauderdale

Recommend: Open hearing; close hearing; introduce resolution.

Exhibit: Memo No. 04-1516 from City Manager

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

ORDINANCES

Amendment to Pay Plan**(O-1)**

Recommend approval of first reading of ordinance amending the Pay Plan, specifically Schedule I (supervisory, professional and managerial employees); creating new classes and deleting classes with retroactive application effective October 4, 2004, the beginning of the first complete work-week of the new fiscal year.

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 04-1512 from City Manager

Amendment t to Transportation Element, Comprehensive Plan; Case 5-TT-99**(O-2)**

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: Defer to November 16, 2004.

Exhibit: Memo No. 04-1513 from City Manager

Adult Uses**(O-3)****Amendment to Section 47-18.2, Unified Land Development Regulations**

An ordinance amending Section 47-18.2 of the Unified Land Development Regulations, to include a definition of adult material and sexually oriented establishment as an adult use and to prohibit the display of adult material. Notice was published October 22, 2004.

Recommend: Introduce ordinance on second reading.

Exhibit: Memo No. 04-1501 from City Manager

Garage, Yard and other Occasional Sales**(O-4)**

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 second reading.

Exhibit: Memo No. 04-1503 from City Manager

ORDINANCES

Rezoning – Properties in State Road 84 Marina Mile Area (O-5)
Case 13-Z-03

Three ordinances rezoning properties in the State Road 84 Marina Mile area from Broward County zoning classifications to City of Fort Lauderdale zoning classifications as part of annexation process.

Applicant: City of Fort Lauderdale
Location: 2698 SW 23 Avenue; 2700 SW 25 Terrace; 2275, 2323, 2551, 2945, 2965 & 3001 State Road 84

- Recommend**
- A. Introduce ordinance for Sub Area I on second reading.
 - B. Introduce ordinance for Sub Area II on second reading.
 - C. Introduce ordinance for Sub Area III on second reading.

Exhibit: Memo No. 04-1517 from City Manager

Message Center Signs - Case 5-T-02 (O-6)

An ordinance amending the Unified Land Development Regulations, Section 47-22, Sign Requirements Applicable to Message Center Signs, to permit message center signs on specific use facilities with less than 20,000 seats; to increase the permitted size on certain rights of way; deleting the requirement for public service messages and modifying other requirements. Public Notice published October 22, 2004.

Recommend: Introduce ordinance on first reading.
Exhibit: Memo No. 04-1504 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. Airvan Coley – Privatization of Sanitation Service

Exhibits: Application for Citizen Presentation

2. Reginald J. Clyne – Labor and Employment Matters

Exhibits: Application for Citizen Presentation

RESOLUTIONS

Amendment to Clean Water State Revolving Fund Loan Agreement (R-1)
Waterworks 2011 - \$1,999,342 – WW47439L-01

A resolution approving an amendment to the Clean Water State Revolving Fund Loan Agreement with Florida Water Pollution Control Financing Corporation, increasing loan funds in the amount of \$1,999,342 for the Waterworks 2011 program.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-1506 from City Manager

Termination of Sign Removal Agreements (R-2)

A resolution authorizing the City Manager to execute Termination of Sign Removal Agreements when necessary.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-1247 from City Manager

Performing Arts Center Authority - Fiscal Year 2004-2005 Budget (R-3)

A resolution approving the Performing Arts Center Authority budget for fiscal year 2004-2005

Recommend: Introduce resolution.
Exhibit: Memo. No. 04-1484 from City Manager

Community Redevelopment Agencies (R-4)

A resolution supporting community redevelopment agencies as a useful and beneficial redevelopment tool which provides for continuing tax increment financing as a financial mechanism to provide needed improvements.

Recommend: Introduce resolution.
Exhibit: Memo. No. 04-1444 from City Manager

Donation of Property – Florida Department of Transportation (R-5)
Parcel 101, Florida Turnpike – Right of Way – Turnpike Widening

A resolution authorizing the donation of approximately 15,106 square feet along the Florida Turnpike to the Florida Department of Transportation for right of way purposes in connection with the turnpike expansion.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-1332 from City Manager

Properties for Demolition (R-6)

A resolution ordering the demolition of building or buildings on 1029 NE 63 Street and 534 NW 22 Avenue properties.

Recommend: Introduce resolution.
Exhibit: Memo. No. 04-1417 from City Manager
