

**CITY COMMISSION REGULAR MEETING AGENDA
JANUARY 4, 2005 - 6:00 P.M.**

Roll Call

Invocation: Dr. Diane Mann, Senior Pastor
Fourth Avenue Church of God

Pledge of Allegiance

Approval of Agenda

PRESENTATIONS

1. The Mayor and City Commissioners will recognize the **Community Appearance Board's "WOW Award" for District II**
2. The Mayor and City Commissioners will recognize recipients of the 2004 Annual Recycling Incentive Grant Awards
3. The Mayor and City Commissioners will demonstrate the proper way to test a **smoke detector**.
4. 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 – Riverwalk A & E District Arts & Crafts Festival

(M-1)

A motion authorizing and approving the execution of an Event Agreement with Broken Mold to indemnify, protect and hold harmless the City from any liability in connection with the Riverwalk A & E District Arts & Crafts Festival, to be held at Huizenga Plaza and at Las Olas Riverfront on Saturday and Sunday, January 29 and 30, 2005, 10 a.m. – 5 p.m.; and further authorizing the closing of East Las Olas Boulevard, from Andrews Avenue to SE 1 Avenue, from 9 a.m., January 28, 2005 to 8 p.m., January 30, 2005.

Recommend: Motion to approve.
Exhibit: Memo No. 05-010 from City Manager

CONSENT AGENDA

Event Agreement – 2nd Annual Rotary 5K Run/Fitness Walk**(M-2)**

A motion authorizing and approving the execution of an Event Agreement with the Rotary Club of Fort Lauderdale, Florida, Inc. to indemnify, protect and hold harmless the City from any liability in connection with the 2nd Annual Rotary 5K Run/Fitness Walk to be held Saturday, February 5, 2005, 6 a.m. – 10:30 a.m.; and further authorizing the closing of the route from 7 a.m. to 8:30 a.m.; beginning at Huizenga Plaza and proceeding east on East Las Olas Boulevard to SE 3 Avenue; south to SE 6 Street; east to East Avenue to North Rio Vista Boulevard; east and south around the curve to SE 9 Street; west to SE 9 Avenue; north to North Rio Vista Boulevard; west to East Avenue; south to SE 6 Street; west to SE 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. 05-011 from City Manager**Event Agreement – Eagle/Super Bowl Celebration****(M-3)**

A motion authorizing and approving the execution of an Event Agreement with the North Beach Square Neighborhood Association, Inc. to indemnify, protect and hold harmless the City from any liability in connection with the Eagle/Super Bowl Celebration to be held Sunday, February 6, 2005, 12 noon to 12 midnight; and further authorizing the closing of Sunrise Lane from NE 9 Street to the north end of the Parrot Lounge, from 8 a.m. to 12 midnight on February 6, 2005.

Recommend: Motion to approve.**Exhibit:** Memo No. 05-009 from City Manager**Rejection of Bid & Contract Award – HyPower, Inc. - \$953,996.30
Executive Airport Fiber Optic Communications Systems****(M-4)**

A motion authorizing the proper City Officials to reject the low bid submitted by Future Works Communications, Inc. of Jacksonville, Florida, and execute an agreement with HyPower, Inc. of Fort Lauderdale, Florida, in the amount of \$953,996.30, for the installation of a fiber optic communications system at Fort Lauderdale Executive Airport.

Funds: See Bid Tab**Recommend:** Motion to approve.**Exhibit:** Memo No. 05-019 from City Manager

CONSENT AGENDA

**De-Obligation of Florida Department of Law Enforcement Grant Funds
For Prevention of Life Project and
Appropriation of Grant – Project Ecstasy and Project New Start (M-5)**

A motion approving (1) de-obligation of \$33,925 in Florida Department of Law Enforcement Grant Funds; (2) appropriation of \$7,925 as revenue & authorize its transfer to the Project Ecstasy program; (3) appropriation of \$6,000 as revenue & authorize its transfer to the Project New Start program; (4) amendment to the program agreement with 7th Avenue Recovery for Project New Start program; and (5) transfer \$3,360 from City General Fund FD001 to Fund 129, all effective November 15, 2004.

Funds: See Memo.
Recommend: Motion to approve.
Exhibit: Memo No. 04-1719 from City Manager

**Contract Award – Concentrate Disposal Well Construction - \$5,308,710
Peele Dixie Water Treatment Plant – Youngquist Brothers, Inc. – Project 10454 (M-6)**

A motion authorizing the proper City Officials to execute a contract with Youngquist Brothers, Inc. in the amount of \$5,308,710 for construction of a concentrate disposal well at the Peele Dixie Water Treatment Plant.

Funds: See Memo
Recommend: Motion to approve.
Exhibit: Memo No. 05-038 from City Manager

**Comprehensive Emergency Operations Plan for All Hazard Homeland Security
Interlocal Agreement with Broward County (M-7)**

A motion accepting the Broward County Comprehensive Emergency Operations Plan for All Hazard Homeland Security and authorizing the proper City Officials to execute the Interlocal Agreement with Broward County.

Recommend: Motion to approve.
Exhibit: Memo No. 05-028 from City Manager

**Joint Stipulation Agreement – Sanitary Sewer Connection Fee for Amerisuites
17th Street Causeway, LLC - \$36,447 (M-8)**

A motion authorizing the proper City Officials to execute a Joint Stipulation Agreement with 17th Street Causeway, LLC, reducing their sanitary sewer connection fee for 1851 SE 10 Avenue to \$36,447, payable over thirty-six months at no interest.

Recommend: Motion to approve.
Exhibit: Memo No. 05-036 from City Manager

CONSENT AGENDA

**Revocable License – TRG&S Las Olas Beach Club, Ltd.
Close Sidewalk on Poinsettia and Cortez Streets
And Close Westbound Travel Lane of Poinsettia Street**

(M-9)

A motion to defer until January 18, 2005, the consideration of a revocable license with TRG&S Las Olas Beach Club, Ltd. to close the sidewalk on Poinsettia and Cortez Streets, immediately west of State Road A-1-A and to close the westbound travel lane of Poinsettia Street.

Recommend: Motion to approve.
Exhibit: Memo No. 05-058 from City Manager

**Change Order No. 3 – United Engineering Corporation - \$115,600
24 inch Forcemain – SW 4 Avenue – Project 10171**

(M-10)

A motion authorizing the proper City Officials to execute Change Order No. 3 with United Engineering Corporation in the amount of \$115,600 to resolve an outstanding claim related to delays encountered during construction of a sanitary sewer forcemain on SW 4 Avenue, from SW 5 Street to SW 19 Street.

Funds: Water and Wastewater Master Plan CIP
Recommend: Motion to approve.
Exhibit: Memo No. 05-002 from City Manager

**Change Order No. 8 – Astaldi Construction Corporation - \$56,000
Asphalt Driveway Restoration – Progresso Sanitary Sewer Improvements**

(M-11)

A motion authorizing the proper City Officials to execute Change Order No. 8 with Astaldi Construction Corporation in the amount of \$56,000 for additional asphalt driveway restoration in the Progresso Sanitary Sewer Improvements Project 9766B.

Funds: Water and Wastewater Master Plan CIP
Recommend: Motion to approve.
Exhibit: Memo No. 05-034 from City Manager

**Change Order No. 2 – Florida Design Contractors - \$29,743.86
Fiveash Wellfield Abandonment & Relocation Phase II – Project 10532
& Adding 223 Non-Compensable Working Days**

(M-12)

A motion authorizing the proper City Officials to execute Change Order No. 2 with Florida Design Contractors in the amount of \$29,743.86 for contract quantity adjustments and additional costs, and adding 223 non-compensable working days to the period of construction.

Funds: Water and Wastewater Master Plan CIP
Recommend: Motion to approve.
Exhibit: Memo No. 05-035 from City Manager

CONSENT AGENDA

Amendment – Licensed Plumber Annual Contract
A-1 Underground Services No. 532-8907 – WaterWorks 2011 – Lauderdale Manors (M-13)

A motion authorizing an increase in the total amount of Contract 532-8907, Licensed Plumber Annual Contract with A-1 Underground Services, from \$40,000 to \$96,000 and to add two items necessary to complete the connections of auxiliary house drains to new sewers in Lauderdale Manors Phase I, WaterWorks 2011.

Recommend: Motion to approve.
Exhibit: Memo No. 05-040 from City Manager

First Amendment – Amended & Restated Lease Agreement
Bryan Homes, Inc. – River House Restaurant (M-14)

A motion authorizing the proper City Officials to execute the First Amendment to the Amended and Restated Lease Agreement with Bryan Homes, Inc. (River House Restaurant) providing for four, five-year options to renew the lease until the year 2032.

Recommend: Motion to approve.
Exhibit: Memo No. 05-050 from City Manager

PURCHASING AGENDA

442-9083 – Cancellation & Re-Award of Flexible Couplings (Pur-1)

Cancellation and re-award of a one-year contract for flexible couplings is being presented for approval by the Public Works Department.

Vendor: Ferguson Enterprises, Inc.
Pompano Beach, FL
Amount: \$ 24,226.00 (estimated)
Bids Solicited/Rec'd: 62/5 with 1 no bid
Exhibits: Memorandum No. 05-032 from City Manager

The Procurement Services Department reviewed this item and recommends canceling and re-awarding the contract.

PURCHASING AGENDA

Proprietary – Training Services for Police Recruits

(Pur-2)

An agreement to purchase training services for police recruits is being presented for approval by the Police Department.

Vendor: Broward Community College
Davie, FL
Amount: \$ 120,195.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 05-005 from City Manager

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

State – Outboard Engines

(Pur-3)

An agreement to purchase twelve (12) outboard engines is being presented for approval by the Police Department.

Vendor: Bombardier Recreational Products, Inc.
Sturpevante, WI
Amount: \$ 108,392.38
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 05-012 from City Manager

The Procurement Services Department reviewed this item and recommends approving the purchase from the Florida State Contract.

PURCHASING AGENDA

39 Vehicles and Technology for 19 Vehicles

(Pur-4)

An agreement to purchase thirty-nine (39) vehicles and technology for nineteen (19) vehicles is being presented for approval by the Police Department.

Vendor:	Duval Ford Jacksonville, FL Garber Chevrolet Green Cove Springs, FL Prosys Tallahassee, FL Motorola Schaumburg, IL Don Reid Ford Maitland, FL Intergraph Public Safety Madison, AL Radio IP Montreal, Quebec Tessco Hunt Valley, MD Gould Publications, Inc. Longwood, FL
Amount:	\$ 1,001,715.41
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 05-027 from City Manager

The Procurement Services Department recommends approving from the Florida Sheriff's Association Contract, Florida State Contracts and proprietary purchases authorizing the transfer of line of credit funds in the amount of \$804,000 from Fleet Service Vehicle Rental (PAR030101-6416) and \$198,000 from Police Department Computer Equipment (POL020401-6404).

ORDINANCES

**Rezoning to Regional Activity Center – Arts and Sciences District
400 SW 2nd Street – New River Trading Post - 8-Z-04 **(O-1)****

Planning and Zoning Board recommended approval by a vote of 7-1 on November 17, 2004. Public Notice published December 9 and 16, 2004. Ordinance passed first reading on December 21, 2004.

An ordinance rezoning Parcel A, The Barefoot Mailman Plat, from Historic Preservation District to Regional Activity Center – Arts and Sciences District.

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 04-1679 from City Manager

**Rezoning to Community Business
 3500 West Davie Boulevard – Publix Supermarket – 6-ZR-04
Commercial Flexibility and Site Plan Approval **(O-2)****

Planning and Zoning Board recommended approval by a vote of 6-0 on October 20, 2004. Public Notice published December 9 and 16, 2004. Ordinance passed first reading on December 21, 2004.

An ordinance rezoning a portion of Tract B and portions of the north ½ of Section 18, Township 50 South, Range 42 East of Pearl Estates and Block 1, Lot 14 and portion of Lots 13 and 15, Breezy Way Manor, from RS-8 (Single Family/Townhouses) to CB (Community Business), including the allocation of flexibility units and site plan approval.

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 05-056 from City Manager

RESOLUTIONS

**Plat Approval – Bronwyn Batiste
3-P-04 – 668 NE 14 Court **(R-1)****

Planning & Zoning Board recommended approval by a vote of 8-0 on November 17, 2004. This item was deferred from December 21, 2004.

A resolution approving the Bronwyn Batiste plat – John W. McGinnis, Applicant.

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.

Recommend: Introduce resolution.
Exhibit: Memo No. 05-054 from City Manager

RESOLUTIONS

Sale of Surplus Property

Northwest Corner of SW 16 Court and SW 17 Street

(R-2)

A resolution declaring the City's property located at the northwest corner of SW 16 Court and SW 17 Street, as surplus and not needed for public use, and authorizing the property to be considered for sale in accordance with Section 8.04 of the City Charter.

Recommend: Introduce resolution.

Exhibit: Memo No. 05-017 from City Manager

Appeal of Planning & Zoning Board Decision – Pat Patel/MaCabi Cigars

1221 East Las Olas Boulevard – Case 60-R-04

(R-3)

At the October 20, 2004 Planning & Zoning Board meeting, the application was denied by a vote of 4 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:

Introduce resolution setting Public Hearing no later than 60 days from adoption of the resolution

Exhibit: Memo No. 04-1662 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.

Florida Legislature – Assistance to Hurricane Victims

(R-4)

A resolution commending the Florida Legislature for their actions to assist victims of the 2004 hurricanes.

Recommend: Introduce resolution

Exhibit: Memo No. 05-060

RESOLUTIONS

Broward County Boat Facility Siting Plan (R-5)

A resolution expressing support in various issues of the proposed Broward County Boat Facility Siting Plan as it pertains to the City. (Also see Conference Agenda Item I-A)

Recommend: Introduce resolution.
Exhibit: Memo No. 05-057 from City Manager

**Vacate Portion of Non-Vehicular Access Line – Case 19-P-04
NW 31 Avenue & Commercial Boulevard** (R-6)

Applicant: Rohan Kelley and Rohan Kelley as Trustee of Shaun Kelley’s Trust

A resolution approving the vacation/adjustment of a non-vehicular access line on the northwest corner of the William A. Trueman plat.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-1397 from City Manager

**Vacate Portion of Non-Vehicular Access Line – Case 21-P-04
East Side of NW 31 Avenue, North of Commercial Boulevard** (R-7)

Applicant: Broward County Parks and Recreation Division

A resolution approving the vacation/adjustment of a non-vehicular access line at the southwest corner of Parcel A, F.B.C. Plat No. 1, by vacating a 15’ portion of the existing line.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-1398 from City Manager

City Attorney – Performance Review (R-8)

A resolution providing for an increase in the compensation paid to City Attorney.

Recommend: Introduce resolution.
Exhibit: Resolution No. 05-01

City Clerk – Performance Review (R-9)

A resolution providing for an increase in the compensation paid to City Clerk.

Recommend: Introduce resolution.
Exhibit: Resolution No. 05-02

RESOLUTIONS

Site Plan Review - Marbella Place – Case 13-R-04
501, 519, 527 N. Birch Road – 37 Unit Multifamily Building **(R-10)**

Planning & Zoning Board recommended approval by a vote of 5-1 on October 20, 2004.

Applicant: Magna Casa Development II, LLC
Request: Site Plan Review, Level IV and yard modifications for a 37 unit multifamily building in the NBRA Zoning District.

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.

Recommend: Introduce resolution.
Exhibit: Memo No. 05-006 from City Manager

Site Plan Review – 400 SW 2nd Street – Case 74-R-04
New River Trading Post Development LLC – Mixed Use Redevelopment **(R-11)**

Applicant: City of Fort Lauderdale on behalf of New River Trading Post Development LLC
Request: Site Plan Review, Level IV

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.

Recommend: Introduce resolution.
Exhibit: Memo No. 04-1678 from City Manager

Site Plan Review – Allocation of 117 Dwelling Units
The Strada 315 – 315 NE 3 Avenue – 132-R-04 **(R-12)**

This item was deferred from December 21, 2004.

Applicant: The 315 Building Partnership
Request: Site Plan Review/Allocation of 117 Dwelling Units from the Downtown RAC

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.

Recommend: Introduce resolution.
Exhibit: Memo. No. 05-053 from City Manager

RESOLUTIONS

Sistrunk Boulevard Revitalization

(R-13)

A resolution affirming the City's commitment to the revitalization of Sistrunk Boulevard.

Recommend: Introduce resolution.

Exhibit: Memo No. 05-073 from City Manager