

City Commission Regular Meeting Agenda

December 4, 2007 -- 6:00 PM

Roll Call

Invocation: Pastor Tom Hackett
Trinity Lutheran Church

Pledge of Allegiance

Approval of Minutes and Agenda -- November 6, 2007 Regular Meeting and Northwest
Neighborhood Improvement District Meeting, November 20, 2007
Regular Meeting

PRESENTATIONS

RICK CASE BIKE FOR KIDS DAY - DECEMBER 4, 2007

(PRES-01)

THE MAYOR AND CITY COMMISSION WILL ISSUE A PROCLAMATION DESIGNATING DECEMBER 4, 2007, AS RICK CASE BIKE FOR KIDS DAY IN THE CITY OF FORT LAUDERDALE.

Exhibit: Commission Agenda Report 07-1947

COMMENDATION - JOSEPH F SCOTT

(PRES-02)

THE MAYOR AND CITY COMMISSION WILL ISSUE A COMMENDATION TO JOSEPH F. SCOTT, CEO OF BROWARD GENERAL MEDICAL CENTER, FOR TWENTY-ONE YEARS OF SERVICE TO HEALTHCARE.

Exhibit: Commission Agenda Report 07-1972

OUTSTANDING CITY EMPLOYEES

(PRES-03)

THE MAYOR AND CITY COMMISSION WILL RECOGNIZE OUTSTANDING CITY EMPLOYEES

Exhibit: Commission Agenda Report 07-1948

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.

**CHANGE ORDER 4 - CONQUEST ENGINEERING GROUP COMPANY - CROISSANT PARK
SANITARY SEWER & WATER IMPROVEMENTS - CREDIT (\$101,930.45) (M-01)**

A motion authorizing 1) Change Order 4 with Conquest Engineering Group Company, in the CREDIT amount of (\$101,930.45) - final quantity adjustments - Sewer and Water Main Improvements - Croissant Park Basin B - Project 10769B and 2) reduce encumbrance by (\$101,930.45).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1883

**CHANGE ORDER 3 – METRO EQUIPMENT SERVICE, INC. – CREDIT (\$7,693.15) (M-02)
IMPERIAL POINT LARGE WATER MAIN**

A motion authorizing 1) Change Order 3 with Metro Equipment Service, Inc., in the CREDIT amount of (\$7,693.15) - additional work and quantity decreases - Imperial Point Large Water Main - Project 10571 and 2) reduce encumbrance by (\$7,693.15).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1888

**FINAL CHANGE ORDER 4 – FOSTER MARINE CONTRACTORS, INC. (M-03)
SANITARY SEWERS - LAUDERDALE MANORS PHASE III – CREDIT (\$1,039,710.08)**

A motion authorizing 1) Final Change Order 4 with Foster Marine Contractors, Inc., in CREDIT amount of (\$1,039,710.08) - final quantity reconciliation – sanitary sewers - Lauderdale Manors Phase III – Basin C – Project 10517C and 2) reduce encumbrance by (\$38,935.04) in P10517.482 and by (\$1,000,775.04) in P10517.490.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1892

**CHANGE ORDER 9 - THE POOLE AND KENT COMPANY - \$61,134.84 (M-04)
FIVEASH WATER TREATMENT PLANT UPGRADES PHASE I**

A motion authorizing 1) Change Order 9 with The Poole and Kent Company, in the amount of \$61,134.84 - additional work - Fiveash Water Treatment Plant Upgrades Phase I - Project 10387 and 2) transfer \$68,471.02 to fund this change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1830

TASK ORDER 49 - CMTS FLORIDA, LLC. - \$115,266.82
UTILITY CONSTRUCTION INSPECTION SERVICES – EDGEWOOD PUMP STATIONS

(M-05)

A motion authorizing the proper City Officials to 1) execute Task Order 49 with CMTS Florida, LLC., in the amount of \$115,266.82 - utility construction inspection services - Edgewood Pump Stations Package 2 – Project 10580I and 2) transfer \$129,098.84 to fund this task order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1884

CHANGE ORDER 2 – FOSTER MARINE CONTRACTORS, INC. – CREDIT (\$85,834)
LAUDERDALE MANORS PHASE III - SANITARY SEWER AND WATER IMPROVEMENTS

(M-06)

A motion authorizing 1) Change Order 2 with Foster Marine Contractors, Inc., in the CREDIT amount of (\$85,834) - additional work and quantity adjustments – Lauderdale Manors Phase III Basin B Sanitary Sewer and Water Improvements – Project 10517B and 2) reduce encumbrance by (\$85,834.00).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1896

TASK ORDER 45 - CMTS FLORIDA, LLC. - \$105,980.55
INSPECTION SERVICES - RIVERSIDE PARK - SOUTH VICTORIA PARK - SE 2 COURT

(M-07)

A motion authorizing the proper City Officials to 1) execute Task Order 45 with CMTS Florida, LLC., in the amount of \$105,980.55 - utility construction inspection services - Riverside Park and South Victoria Park Road - SE 2 Court Pump Station Construction, Package 2 – Project 10578E and 2) transfer \$118,698.22 to fund this task order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1890

TASK ORDER - KEITH & SCHNARS, P.A. - \$80,000
ADA COMPLIANCE - PARKING LOTS

(M-08)

A motion authorizing the proper City Officials to execute a Task Order with Keith & Schnars, P.A., in the amount of \$80,000 - ADA compliance of parking lots on Commercial Boulevard and Oakland Park Boulevard - Project 10768.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1914

**CONTRACT AWARD - ELECTRICAL CONTRACTING SERVICE, INC. - \$61,883.05
JOSEPH C CARTER PARK SECURITY LIGHTING**

(M-09)

A motion authorizing the proper City Officials to award and execute a contract with Electrical Contracting Service, Inc., in the amount of \$61,883.05 - Joseph C Carter Park Security Lighting - Project 11147.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1916

**CONTRACT AWARD - WEEKLEY ASPHALT PAVING, INC. - \$912,227.50
2007-2008 ASPHALTIC CONCRETE PAVEMENT SURFACING**

(M-10)

A motion authorizing the proper City Officials to 1) award and execute a contract with Weekly Asphalt Paving, Inc., in the amount of \$912,227.50 - 2007-2008 Asphaltic Concrete Pavement Surfacing Contract – Project 11186 and 2) transfer \$408,272.25 to supplement existing funding in the project.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1908

**BEAUTIFICATION AND DEVELOPMENT AGREEMENTS - 315 NE 3 AVENUE
BROWARD COUNTY AND STRADA 315, LLC**

(M-11)

A motion authorizing the proper City Officials to execute 1) Beautification Agreement with Broward County and 2) Development Agreement with Strada 315, LLC - maintenance of trees, landscaping and irrigation in Broward County right-of-way - 315 NE 3 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1918

**DAVIE BOULEVARD - TRANSFER \$16,896
CONNECTING WATER MAINS AND INSTALLING GUARD POSTS**

(M-12)

A motion authorizing transfer of \$16,896 to fund construction of six-inch water main and tie-in in the Davie Boulevard corridor, including installation of three guard posts and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1903

**SMALL WATER MAIN REPLACEMENT PROJECTS - \$15,923,600
FUNDING - \$15,923,600 AND TRANSFER \$17,834,432**

(M-13)

A motion 1) establishing funding for multiple small water main replacement projects in the amount of \$15,923,600 - design and construction and 2) transferring \$17,834,432 to fund these projects and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1895

**DECORATIVE STREET SIGN POSTS - RIVERLAND ROAD - \$16,300
NEIGHBORHOOD CAPITAL IMPROVEMENTS - LAUDERDALE ISLES CIVIC ASSOCIATION**

(M-14)

A motion 1) awarding neighborhood capital improvement grant in the amount of \$16,300 to Lauderdale Isles Civic Association - installation of decorative street sign posts along Riverland Road - Neighborhood Capital Improvement Grant Program Project 11255 and 2) transferring funds.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1169

**WORK ORDER 10710A – GLOBETEC CONSTRUCTION, LLC - \$8,457,417.90
SANITARY SEWER AND WATER MAIN IMPROVEMENTS - WEST MELROSE MANORS**

(M-15)

A motion authorizing the proper City Officials to 1) award and execute Work Order 10710A to Globetec Construction, LLC., in the amount of \$8,457,417.90 - construction of sanitary sewer and water main improvements – West Melrose Manors Basin A - Project 11070D and 2) transfer \$9,472,308.05 to fund this work order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1905

**SUPPLEMENTAL PAY - EMPLOYEE RESERVISTS CALLED TO ACTIVE DUTY
ONGOING MILITARY CONFLICTS - EXTENSION OF CITY POLICY**

(M-16)

A motion authorizing a one-year extension to City policy - supplemental pay to employee reservists called to active duty as a result of ongoing military conflicts that arose due to September 11, 2001 terrorist attacks - extension to December 30, 2008.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1911

**GRANT APPLICATION – OPERATION CRACKDOWN - \$75,000
FLORIDA DEPARTMENT OF LAW ENFORCEMENT**

(M-17)

A motion authorizing the proper City Officials to apply for grant funds in the amount of \$75,000 from Florida Department of Law Enforcement, Violent Crime and Drug Control Council - Operation Crackdown.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1945

**SETTLEMENT OF VEHICLE ACCIDENT GENERAL LIABILITY CLAIM - \$57,500
VA GL 05-616**

(M-18)

A motion authorizing settlement of Vehicle Accident General Liability Claim VA GL 05-616 (Mark Hickman) - \$57,500.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1932

**GRANT APPLICATION – FEMA - \$100,000
ASSISTANCE TO FIREFIGHTERS FIRE SAFETY AND PREVENTION GRANT**

(M-19)

A motion authorizing the proper City Officials to apply for grant funding in the approximate amount of \$100,000 from Federal Emergency Management Agency - Assistance to Firefighters Fire Safety and Prevention Grant - Resident Fire Protection Initiative.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1944

**AMENDMENT TO SPORTS FACILITY USE AGREEMENT - TERM EXTENSION
BALTIMORE ORIOLES - FORT LAUDERDALE STADIUM**

(M-20)

A motion authorizing the proper City Officials to execute an amendment to the Sports Facility Use Agreement with Baltimore Orioles - term extension - Fort Lauderdale Stadium

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 07-1952

CONSENT RESOLUTION

**INCREASE EXPENDITURE - OUTSIDE COUNSEL - LEWIS LONGMAN & WALKER, P.A.
WATER AND WASTEWATER RELATED ISSUES - \$75,000**

(CR-01)

A resolution increasing expenditure of funds in an amount not-to-exceed \$75,000 - outside counsel - water and wastewater related issues.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1898

**APPROPRIATION AND TRANSFER - SCHOOL RESOURCE OFFICERS - \$581,657
LAW ENFORCEMENT CONFISCATED PROPERTY FUND**

(CR-02)

A resolution appropriating and transferring \$581,657 – Fiscal Year 2007-2008 - Law Enforcement Confiscated Property Fund - four School Resource Officers.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1934

**TRANSFER \$7,389 – OPERATION LAST CALL GRANT MATCH
FLORIDA DEPARTMENT OF LAW ENFORCEMENT - JUSTICE ASSISTANCE GRANT**

(CR-03)

A resolution transferring \$7,389 - Operation Last Call - grant cash match - Florida Department of Law Enforcement Justice Assistance Grant.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1939

**GRANT ACCEPTANCE AND TRANSFER - \$9,692.47
BULLETPROOF VEST PARTNERSHIP GRANT - U.S. DEPARTMENT OF JUSTICE**

(CR-04)

A resolution authorizing 1) acceptance of grant funds in the amount of \$9,692.47 from U.S. Department of Justice, Bureau of Justice Assistance - purchase of bulletproof vests, 2) proper City Officials to execute all necessary documents to obtain the funds; and 3) transfer \$9,692.47 for match.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1924

**APPROPRIATION AND TRANSFER - POLICE LEGAL UNIT - FISCAL YEAR 2007-2008
LAW ENFORCEMENT CONFISCATED PROPERTY FUND - \$328,120**

(CR-05)

A resolution appropriating and transferring \$328,120 - Law Enforcement Confiscated Property Fund - Fiscal Year 2007-2008 Police Legal Unit.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1930

**RE-APPOINT EARNEST/TIGHE LAW FIRM, P.A. - OUTSIDE COUNSEL
LIEN FORECLOSURE MATTERS**

(CR-06)

A resolution approving re-appointment of Earnest/Tighe Law Firm, P.A. - outside counsel - lien foreclosure matters and setting rates for such representation.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1885

**APPOINT JOHN FREY, ESQUIRE - OUTSIDE COUNSEL
COURT-APPOINTED COUNSEL TO INDIGENT DEFENDANTS**

(CR-07)

A resolution appointing outside counsel John Frey, Esquire - legal representation as court-appointed counsel to indigent defendants.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1938

**TASK ORDER - R J HEISENBOTTLE ARCHITECTS, P.A. - \$79,164
SOUTHSIDE SCHOOL - ROOF REPLACEMENT AND DELETING WORK - HARDY PARK**

(CR-08)

A resolution authorizing 1) proper City Officials to execute Task Order with R. J. Heisenbottle Architects, P.A., in the amount of \$79,164 - Southside School roof replacement and redesign, deleting work associated with Hardy Park - Project 10777 and 2) appropriation of \$244,794 to fund this task order and move additional budgeted funds into the project.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1636

TRANSFER \$20,000 - HOLIDAY LIGHTING - DONATION TO RIVERWALK TRUST, INC.

(CR-09)

A resolution amending the fiscal year 2007-2008 final operating budget, transferring \$20,000 - donation to Riverwalk Trust Inc. - holiday lighting.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1937

**MAINTENANCE OF LANDSCAPE IMPROVEMENTS – STATE ROAD A-1-A
FLORIDA DEPARTMENT OF TRANSPORTATION**

(CR-10)

A resolution authorizing the proper City Officials to execute a Memorandum of Agreement with Florida Department of Transportation - City maintenance of landscaping improvements on State Road A-1-A.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 07-1586

PURCHASING AGENDA

PROPRIETARY - EBARA PUMPS AND PARTS AND SERVICE**(PUR-01)**

Proprietary purchase of Ebara brand replacement pumps, parts and service from FJ Nugent & Associates, Inc., is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: F.J. Nugent & Associates, Inc.
Longwood, FL

Amount: \$80,000.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-1869

The Procurement Services Department has reviewed this item and recommends approval of the proprietary purchase.

482-9878 - SALE OF SURPLUS BRASS METERS**(PUR-02)**

Sale of scrap brass meters to Alpha Metal Recycling, LLC is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Alpha Metal Recycling, LLC
Opa Locka, FL

Amount: \$39,007.65 (estimated net revenue)

Bids Solicited/Rec'd: 123/3

Exhibit: Commission Agenda Report 07-1927

The Procurement Services Department has reviewed this item and recommends approval of this sale.

**PROPRIETARY - IBM OPERATING SYSTEM SUPPORT
NAME CORRECTION OF PREVIOUSLY APPROVED PURCHASE****(PUR-03)**

Proprietary - annual support for FAMIS/BPREP IBM Financial Accounting operating system is being presented for approval by Information Technology Services Department.

Recommend: Motion to approve.

Vendor: IBM
Armonk, NY

Amount: \$15,846.60

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 07-1915

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

RESOLUTIONS

**LOT CLEARING AND CLEANING
SPECIAL ASSESSMENT LIENS FOR ASSOCIATED COST**

(R-01)

A resolution authorizing the imposition of a lien against various properties for cost associated with lot clearing and cleaning.

Recommend: Introduce resolution.

Exhibit: Commission Agenda Report 07-1910

**NO OBJECTION TO PLAT NOTE AMENDMENT – BETA PLAT
MIXED USE - 1411 STATE ROAD 84 - 11-P-03 (A)**

(R-02)

Applicant: Hibiscus, LLC.

Location: 1411 State Road 84

Zoning: General Business District B-2

Recommend: Introduce resolution.

Exhibit: Commission Agenda Report 07-1931

**NO OBJECTION TO PLAT NOTE AMENDMENT – HAMMOCKS AT EDGEWOOD PARK
TOWNHOUSES - 2807 SW 15 AVENUE - 11-P-05 (A)**

(R-03)

Applicant: Hammocks At Edgewood Developers, Inc.

Location: 2807 SW 15 Avenue

Zoning: Residential - Multifamily - Low Rise/Medium High Density RML-25 and Single Family and Cluster/Medium Density RC-15

Recommend: Introduce resolution.

Exhibit: Commission Agenda Report 07-1933

**SITE PLAN LEVEL II - EXTENSION OF TIME - FLAGLER POINT - 152-R-05
MIXED USED - AFFORDABLE HOUSING**

(R-04)

Applicant: Housing Finance Authority of Broward County

Location: 600 North Andrews Avenue

Zoning: Regional Activity Center - Urban Village RAC-UV

Anyone wishing to speak on this item must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Recommend: Introduce resolution.

Exhibit: Commission Agenda Report 07-1942

CITIZEN PRESENTATIONS

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

JOHN FLETEMEYER**(CIT-01)**

NEW RIVER DROWNING PREVENTION PROGRAM AND SWIMMING HALL OF FAME - AQUATIC COMPLEX

Exhibit:	Commission Agenda Report	07-1950
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KITTY KESSLER**(CIT-02)**

AMEND ORDINANCES RELATING TO ANIMALS TO INCLUDE OWNER AND GUARDIAN

Exhibit:	Commission Agenda Report	07-1951
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JACKIE JONES**(CIT-03)**

VALUE PLACE - HOTEL DEVELOPMENT

Exhibit:	Commission Agenda Report	07-1953
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CHRIS STACHOWSKI**(CIT-04)**

VALUE PLACE - HOTEL DEVELOPMENT

Exhibit:	Commission Agenda Report	07-1954
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LINDA PISANO**(CIT-05)**

VALUE PLACE - HOTEL DEVELOPMENT

Exhibit:	Commission Agenda Report	07-1959
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PUBLIC HEARINGS

VACATE ALLEYWAY - NE 5 STREET - VICTORIA PARK - DAWN DEMARTINI - 5-P-07**(PH-01)**

Applicant: Dawn DeMartini

Location: Eastern Terminus of NE 5th Street - Victoria Park

Recommend:	Open hearing; close hearing; introduce ordinance on first reading.
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Exhibit:	Commission Agenda Report	07-1887
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**REGULATING TELECOMMUNICATION EQUIPMENT IN RIGHTS OF WAY
NEW CODE SECTIONS 25-100.1 AND 25-100.2 - RIGHT OF WAY ADMINISTRATION**

(PH-02)

An ordinance amending the Code of Ordinances, Chapter 25, Article III, Streets and Sidewalks, Right of Way Administration - regulating telecommunication equipment in rights of way.

Recommend: Open hearing; close hearing; introduce ordinance on second reading.

Exhibit: Commission Agenda Report 07-1925

ORDINANCES

**AMEND UNIFIED LAND DEVELOPMENT REGULATIONS - DWELLING UNITS
DOWNTOWN RAC REVIEW PROCESS AND SPECIAL REGULATIONS**

(O-01)

An ordinance amending the Unified Land Development Regulations, Section 47-13.20, Downtown Regional Activity Center Review Process and Special Regulations, to provide for allocation of dwelling units to the dwelling units available for residential development in the Downtown RAC in 2007.

Recommend: Introduce ordinance on second reading.

Exhibit: Commission Agenda Report 07-1956

AMENDMENT TO THE PAY PLAN - SCHEDULE I

(O-02)

An ordinance amending Schedule I of the Pay Plan by changing the title and pay range of a class.

Recommend: Introduce ordinance on second reading.

Exhibit: Commission Agenda Report 07-1936

**PROHIBITION - MEMBERS OF CITY COMMISSION
SOLICITING GIFTS OR DONATIONS FOR THIRD PARTIES**

(O-03)

An ordinance prohibiting members of the City Commission from soliciting any gifts or donations for any third party, including charitable organizations, from any person or entity that does business with the City.

Recommend: Introduce ordinance on first reading.

Exhibit: Commission Agenda Report 07-1922

**CODE AMENDMENT - SECTION 2-262 - LOBBYIST REPORTING REQUIREMENT
CITY COMMISSION MEMBERS SOLICITING GIFTS OR DONATIONS FOR THIRD PARTIES**

(O-04)

An ordinance amending the Code of Ordinances, Section 2-262, Lobbying Registration and Statements - requiring lobbyists to report any instance in which they were solicited by a member of the City Commission or any instance in which they gave a donation to a member of the City Commission for a third party.

Recommend: Introduce ordinance for first reading.

Exhibit: Commission Agenda Report 07-1923
