

City Commission Regular Meeting Agenda

January 21, 2009 -- 6:00 PM

Roll Call

Invocation: Rabbi Moishe Meir Lipszyc
Temple Chabad Lubavitch of Fort Lauderdale

Pledge of Allegiance

Approval of Minutes and Agenda -- November 18, 2008 Conference Meeting and December 2, 2008
Regular Meeting

PRESENTATIONS

COMMUNITY APPEARANCE BOARD - WOW AWARD - DISTRICT II (PRES-01)

THE MAYOR AND CITY COMMISSION WILL RECOGNIZE THE COMMUNITY APPEARANCE BOARD'S WOW AWARD RECIPIENT FOR DISTRICT II.

Exhibit: Commission Agenda Report 08-1915

LARRY FULLER, ASSISTANT CITY CLERK (PRES-02)

THE MAYOR AND CITY COMMISSION WILL ISSUE A COMMENDATION, RECOGNIZING LARRY FULLER, ASSISTANT CITY CLERK.

Exhibit: Commission Agenda Report 09-0043

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 - FORT LAUDERDALE BILLFISH TOURNAMENT (M-01)

A motion authorizing and approving execution of an Event Agreement with Marine Industries Association of South Florida, Inc. for Fort Lauderdale Billfish Tournament, to be held February 5-8, 2009, at Las Olas Marina and adjacent parking lot.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0023

**EVENT AGREEMENT - SUPERBOWL PARTY - CLOSING SUNRISE LANE
CLOSING SUNRISE LANE****(M-02)**

A motion authorizing and approving execution of an Event Agreement with North Beach Square Neighborhood Association, Inc. for Superbowl Party, to be held February 1, 2009, 12 noon - 12 midnight and closing Sunrise Lane.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0038

EVENT AGREEMENT - DUCK FEST DERBY - CLOSING SW 2 STREET**(M-03)**

A motion authorizing and approving execution of an Event Agreement with Kids In Distress, Inc. for Duck Fest Derby, to be held February 7, 2009, 11 AM - 4 PM and closing SW 2 Street from SW 4 Avenue to SW 5 Avenue, and SW 4 Avenue from SW 2 Street to the Riverwalk, 6 AM - 6 PM on the event day.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1914

EVENT AGREEMENT - GREEK CHURCH FESTIVAL**(M-04)**

A motion authorizing and approving execution of an Event Agreement with St. Demetrios Greek Orthodox Community of Broward County, Inc. for Greek Church Festival, to be held February 6-8, 2009, on the church grounds at 815 NE 15 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0036

EVENT AGREEMENT - FAB FOUR ROOF TOP CONCERT**(M-05)**

A motion authorizing and approving execution of an Event Agreement with Lincoln Financial Media of Florida for Fab Four Roof Top Concert, to be held at Broward College, 111 East Las Olas Boulevard, on January 30, 2009, 10 AM - 2 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0025

**EVENT AGREEMENT - MUSEUM OF ART FORT LAUDERDALE NATIONAL ART FESTIVAL
CLOSING EAST LAS OLAS BOULEVARD****(M-06)**

A motion authorizing and approving execution of an Event Agreement with Museum of Art - Nova Southeastern University for Museum of Art Fort Lauderdale National Art Festival, to be held at Huizenga Plaza on January 31 and February 1, 2009, 10 AM - 5 PM and closing East Las Olas Boulevard from Andrews Avenue to SE 1 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1924

**COMMUNITY BUS SERVICES - \$23,760
AGREEMENT - UNITED RESIDENTS COUNCIL**

(M-07)

A motion authorizing the proper City Officials to execute an agreement with United Residents Council – continued Community Bus Services – for a period of ninety days (January 30, 2009 – April 29, 2009), contingent upon approval of an Interlocal Agreement with Broward County for public transportation services and associated budget amendments to fiscal year 2008-2009 final operating budget.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0037

**COMMUNITY BUS SERVICES - AGREEMENT - \$52,844.27
DOWNTOWN FORT LAUDERDALE TRANSPORTATION MANAGEMENT ASSOCIATION**

(M-08)

A motion authorizing the proper City Officials to execute agreement with Downtown Fort Lauderdale Transportation Management Association – continued Community Bus Service (January 30, 2009 to April 29, 2009), in the amount of \$52,844.27 – contingent upon approval of an Interlocal Agreement with Broward County for public transportation services and associated budget amendments to fiscal year 2008-2009 final operating budget.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0035

**CONTRACT AWARD - PALM BEACH BUILDING GROUP, INC. - \$43,500
BRIDGE CLEANING AND PAINTING - TARPON RIVER AND HENDRICKS ISLES**

(M-09)

A motion authorizing the proper City Officials to 1) award and execute contract with Palm Beach Building Group, Inc., in the amount of \$43,500 - cleaning and painting of three bridges - Tarpon River and Hendricks Isles - Project 11424 and 2) transfer \$54,549 to fund contract, engineering fees and contingency.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0014

TRAFFIC CONTROL DEVICES, INC. - LITIGATION - \$40,000

(M-10)

A motion authorizing transfer of \$40,000 to fund litigation regarding Traffic Control Devices, Inc. (Project 11263, Astaldi Construction Corporation) - Billing, Cochran, Heath, Lyles, Mauro & Anderson, P.A., to represent City.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1863

CHANGE ORDER 1 – SANALIL CONSTRUCTION, INC. - \$42,277
HOLIDAY PARK ACTIVITY CENTER

(M-11)

A motion authorizing 1) Change Order 1 with Sanalil Construction, Inc., in the amount of \$42,277 - Holiday Park Activity Center - increasing scope of work as requested by Parks Department – Project 11073 and 2) transfer \$3,686.50 to fund this change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0009

CHANGE ORDER 7 – MIGUEL LOPEZ, JR., INC. - \$16,763.25
INTERSECTION RESTORATION - BAYVIEW DRIVE AT NE 32 STREET AND NE 49 STREET

(M-12)

A motion authorizing 1) Change Order 7 with Miguel Lopez Jr., Inc., in the amount of \$16,763.25 - 2007-2008 annual parking lot repair - restoration of intersections at Bayview Drive at NE 32 Street and NE 49 Street – Project 11154A and 2) transfer funds to fund change order and engineering fees.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0013

CHANGE ORDER 2 – ENGINEER CONTROLS SYSTEMS CORP. – \$15,650
TOE-WALL INSTALLATION AT NEW RIVER AND OTHER MINOR WORK

(M-13)

A motion authorizing Change Order 2 with Engineer Controls Systems, Corp., in the amount of \$15,650 - increasing scope of work – 2007-2008 annual marine facilities, seawall, mooring buoy and vessel contract - toe-wall installation at New River and other additional minor work - Project 11034A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0012

SETTLEMENT OF VEHICLE ACCIDENT GENERAL LIABILITY FILE VA GL 07-415 - \$65,000

(M-14)

A motion authorizing settlement of vehicle accident general liability file VA GL 07-415 (Estate of Donald Perry) - \$65,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 08-1936

SETTLEMENT OF PROPERTY DAMAGE CLAIM - \$146,789.70
LEXINGTON INSURANCE COMPANY

(M-15)

A motion authorizing settlement of property damage claim with property insurance carrier, Lexington Insurance Company, et al - City Hall water damage claim - \$146,789.70 and amending fiscal year 2008-2009 final operating budget by transferring proceeds and expenses.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0034

PROCUREMENT OF PROPERTY INSURANCE**(M-16)**

A motion authorizing the negotiation method to purchase property insurance as prescribed in Code of Ordinances, Section 2-199(3).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0019

**EXCESS WORKER COMPENSATION INSURANCE - ADDITIONAL PREMIUM - \$31,866
ARCH INSURANCE COMPANY**

(M-17)

A motion authorizing payment of excess worker compensation insurance additional premium, in the amount of \$31,866, to Arch Insurance Company through Thomas Rutherford, Inc., City's broker.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0029

**RENTAL REHABILITATION PROGRAM REQUIREMENT - ONE-TIME EXCEPTION
H.O.M.E.S., INC. - PROPERTIES ON NE 6 AVENUE**

(M-18)

A motion approving request of H.O.M.E.S., Inc. for one-time exception to Rental Rehabilitation Program requirement - exceed loan to value ratio and waiver of payment and performance bond for properties on NE 6 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 09-0027

CONSENT RESOLUTION

**AMEND OPERATING BUDGET - TRANSFER AND APPROPRIATION - \$26,544.20
FORKLIFT PURCHASE**

(CR-01)

A resolution amending fiscal year 2008-2009 final operating budget by transferring and appropriating \$26,544.20 for purchase of one forklift.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-1931

HISTORIC PRESERVATION GRANT EXTENSION - NEW RIVER SWING SPAN BRIDGE**(CR-02)**

A resolution authorizing the proper City Officials to execute an amendment to agreement with Florida Department of State, providing for extension until December 31, 2009 - Historic Preservation Grant - New River Swing Span Bridge - Project 10057.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-1927

COMMUNITY BUS SERVICES - INTERLOCAL AGREEMENT - BROWARD COUNTY**(CR-03)**

A resolution authorizing the proper City Officials to 1) execute Public Transportation Services Interlocal Agreement with Broward County for continuation of Community Bus Services for the period of January 30, 2009 through April 29, 2009 and 2) amend fiscal year 2009-2010 final operating budget by appropriating \$89,935.60, \$52,844.27, \$142,779.87 and \$23,760 to fund these services.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0033

**CHANGE ORDER 3 (FINAL) – DARCON GROUP, CORP. - \$99,827.28
REPAIR SIDEWALK DEFICIENCIES****(CR-04)**

A resolution authorizing Change Order 3 (Final) with Darcon Group, Corp., in the amount of \$99,827.28 - increasing scope of work - 2007-2008 annual concrete and paving stone repair - repair sidewalk deficiencies at various locations throughout city - Project 11185 and 2) amend fiscal year 2008-2009 final operating budget by appropriating \$27,467.34 and transferring additional funding to fund this change order and engineering fees.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0011

**LINCOLN PARK ENVIRONMENTAL ISSUES
INCREASE SCOPE OF WORK - TROUTMAN SANDERS, LLP - \$366,000****(CR-05)**

A resolution amending fiscal year 2008-2009 final operating budget by 1) authorizing increase in scope of work to Troutman Sanders, LLP, in the amount of \$366,000 - Lincoln Park environmental issues - Project 10536 and 2) amending fiscal year 2008-2009 final operating budget by appropriating \$366,000.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0003

CONTRACT AWARD - LEADDEX CORPORATION - COONTIE HATCHEE PARK - \$322,965**(CR-06)**

A resolution authorizing the proper City Officials to 1) award and execute a contract with Leadex Corporation, in the amount of \$322,965 - Coontie Hatchee Park -Project 11016 and 2) amend fiscal year 2008-2009 final operating budget, by appropriating \$155,208.57 to complete contract funding, engineering fees and contingency.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0041

AMEND OPERATING BUDGET - COMMUNITY APPEARANCE BOARD - APPROPRIATION**(CR-07)**

A resolution amending fiscal year 2008-2009 final operating budget, by appropriating existing budget for Community Appearance Board to Public Works Department and increasing revenue and expenditure appropriations to account for Community Appearance Board annual event.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-1929

**TRIENNIAL MUNICIPAL PRIMARY AND GENERAL ELECTIONS
FEBRUARY 10, 2009 AND MARCH 10, 2009****(CR-08)**

A resolution calling the regular triennial municipal primary election for February 10, 2009, and regular triennial municipal election to be held on March 10, 2009 to elect qualified persons for the offices of Mayor-Commissioner and City Commissioner from Districts I, II, III and IV.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-1821

**AMEND OPERATING BUDGET - APPROPRIATION - \$25,514,081
PRE-EXISTING DEBT AND CAPITAL PROJECTS****(CR-09)**

A resolution amending 2008-2009 final operating budget, appropriating proceeds of special obligation loans and expenditures related to refunding of pre-existing debt and capital projects.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0021

**AMEND OPERATING BUDGET - APPROPRIATION - \$1,975,000
SISTRUNK PARK ADDITION - OPEN SPACE 88****(CR-10)**

A resolution amending the 2008-2009 final operating budget by appropriating \$1,975,000 from Broward County Land Preservation Bond Program for acquisition of Sistrunk Park Addition - Open Space 88 - 115 NW 6 Street.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 08-1904

**SISTRUNK BOULEVARD STREETScape ENHANCEMENT PROJECT
GRANT - FLORIDA DEPARTMENT OF TRANSPORTATION - \$1,809,749**

(CR-11)

A resolution authorizing the proper City Officials to execute a Local Agency Agreement with Florida Department of Transportation to receive a grant in the amount of \$1,809,749 - Sistrunk Boulevard Streetscape Enhancement Project.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 09-0042

PURCHASING AGENDA

**EIGHT VEHICLE REPLACEMENTS
FLORIDA SHERIFFS ASSOCIATION CONTRACT AND BID AWARD 592-10193**

(PUR-01)

Purchase eight vehicle replacements identified in 2008-2009 Fleet Plan and approved in 2008-2009 Fleet Services Capital Budget is being presented for approval by Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Various Vendors (see attached)

Amount: \$518,795.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 08-1935

The Procurement Services Department has reviewed this item and recommends approval of purchase from Florida Sheriff's Association Contract and bid award 592-10193.

492-10187 - REJECTION OF BIDS - BOARD UP SERVICES

(PUR-02)

Rejection of all bids for board up services is being presented for approval by Building Services Department.

Recommend: Motion to reject.

Bids Solicited/Rec'd: 528/10

Exhibit: Commission Agenda Report 09-0016

The Procurement Services Department has reviewed this item and recommends rejecting all bids submitted and re-bidding.

**693-10139 - NEW PLAYGROUND EQUIPMENT
JOSEPH C. CARTER PARK AND WARFIELD PARK**

(PUR-03)

Purchase of playground equipment for Joseph C. Carter and Warfield parks is being presented for approval by Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Bliss Products and Services, Inc.
Lithia Springs, GA

Amount: \$118,942.00

Bids Solicited/Rec'd: 360/5

Exhibit: Commission Agenda Report 08-1896

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

PROPRIETARY - WALLACE & TIERNAN BRAND FILTER REPLACEMENT PARTS

(PUR-04)

Purchase Wallace & Tiernan filter replacement parts is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Water Treatment & Controls Company
Pensacola, FL

Amount: \$30,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 08-1761

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

493-10189 - PURCHASE TWO FORKLIFTS

(PUR-05)

Purchase of two forklifts is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: RVL Equipment, Inc.
Opa Locka, FL

Amount: \$53,088.40

Bids Solicited/Rec'd: 177/4

Exhibit: Commission Agenda Report 08-1932

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

PROPRIETARY - NALCO ANTISCALANT**(PUR-06)**

Purchase of Nalco PC-1850T Antiscalant is being presented for approval by Public Works Department.

Recommend: Motion to approve.

Vendor: Nalco Company
Naperville, IL

Amount: \$75,000.00 (not to exceed)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 08-1874

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

PUBLIC HEARINGS

HISTORIC DESIGNATION - SEA CLUB RESORT - JOLLY ROGER HOTEL
619 NORTH FORT LAUDERDALE BEACH BOULEVARD - CASE 26-H-05

(PH-01)

Owner: Shimon Levy
Applicant: Broward Trust for Historic Preservation
Location: 619 North Fort Lauderdale Beach Boulevard
Zoning: A-1-A Beachfront Area (ABA)

Public hearing - historic designation of Sea Club Resort - Jolly Roger Hotel.

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

Recommend: Motion to defer to January 20, 2010.

Exhibit: Commission Agenda Report 09-0018

CHAUFFEUR AND TRANSPORTATION CERTIFICATE OF PUBLIC CONVENIENCE APPLICATION
ELEGANT ARRIVALS LIMOUSINE INC.

(PH-02)

Applicant: Elegant Arrivals Limousine Inc.

Chauffeur and transportation - Certificate of Public Convenience

Recommend: Open hearing, close hearing, motion to approve.

Exhibit: Commission Agenda Report 08-1871

ORDINANCES

COMPREHENSIVE PLAN TEXT AMENDMENTS - WATER SUPPLY FACILITIES WORK PLAN (O-01)
CASE 1-T-08

An ordinance adopting Comprehensive Plan text amendments - Water Supply Facilities Work Plan.

Recommend: Open hearing, close hearing and introduce ordinance on second reading.

Exhibit: Commission Agenda Report 09-0006

PUBLIC SCHOOL CONCURRENCY (O-02)
AMENDMENTS TO UNIFIED LAND DEVELOPMENT REGULATIONS – CASE 13-T-08

Public School Concurrency – Amendments to Unified Land Development Regulations – codify adopted Interlocal Agreement for Public School Facility Planning and Public School Element of Comprehensive Plan.

Recommend: Open hearing, close hearing and introduce ordinance on second reading.

Exhibit: Commission Agenda Report 09-0007

REDUCING QUORUM REQUIREMENT; CERTAIN ADVISORY BOARDS AND COMMITTEES (O-03)

An ordinance reducing the quorum requirement for the Beach Redevelopment, Cemeteries; Education Advisory; Economic Development; Insurance Parks; Recreation and Beaches; Northwest-Progresso-Flagler Heights Redevelopment; Community Appearance and Facilities; Community Services; Marine Advisory boards and Utility Advisory; Fire-Rescue Facilities and Centennial Celebration committees.

Recommend: Introduce ordinance on first reading.

Exhibit: Commission Agenda Report 09-0047