

**FORT LAUDERDALE CITY COMMISSION REGULAR MEETING**  
**FEBRUARY 1, 2011**

| Agenda |                      |  |         |
|--------|----------------------|--|---------|
| Item   | Resolution/Ordinance |  | Page(s) |
|        |                      | <u>Presentations:</u>  |         |
|        |                      | 1. Winterfest Boat Parade 2010   | 1       |
|        |                      | 2. Outstanding City Employees  | 1       |
| CA     |                      | Consent Agenda   |         |
| M-01   |                      | Event Agreement – Jerome E. Gray ESQ. Health And -<br>Temperance Parade Closing City Streets Along Route   | 2       |
| M-02   |                      | Event Agreement – Corporate Run Closing City Streets –<br>Along Route  | 2       |
| M-03   |                      | Event Agreement – Coral Ridge Green Market At -<br>Plaza 3000  | 2       |
| M-04   |                      | Event Agreement - Duck Fest Derby – Closing SW 2 <sup>ND</sup> –<br>Street   | 2       |
| M-05   |                      | Event Agreement - Hobie Midwinters East Sailing Regatta  | 2       |
| M-06   |                      | Event Agreement - Palm 100 - Ultramarathon   | 2       |
| M-07   |                      | Event Agreement – Rio Vista Camp Out   | 3       |
| M-08   |                      | Event Agreement – Fort Lauderdale St. Patrick's Day –<br>Parade And Festival Closing East Las Olas -<br>Boulevard And SE 1 Avenue                      | 3       |
| M-09   |                      | Event Agreement – 34 <sup>th</sup> Annual Waterway Clean-up  | 3       |
| M-10   |                      | Change Order 2 – Sun-Up Enterprises, Inc. \$12,240 -<br>ADA Modifications, Parking Lot Repairs And<br>Construction                                     | 3       |
| M-11   |                      | Change Order 4 - Gates Builders, Inc. - \$33,200<br>Energy Efficiency and Conservation Block Grant   | 4       |
| M-12   |                      | Contract Extension – Palm Beach Marine Construction,<br>Inc. Ocean Regulatory Buoys And Navigational<br>Signs - \$64,000                               | 4       |
| M-13   |                      | Railroad Infrastructure And Utility Crossing Lease -<br>\$28,862.83 Florida East Coast Railway And<br>Flagler Development Group                        | 4       |
| M-14   |                      | Funds Transfer - \$23,956 – Lake Aire Roundabout –<br>Neighborhood Capital Improvement Program   | 4       |
| M-15   |                      | Grant Application – Edward Byrne Memorial Justice -<br>Assistance Grant Florida Department of Law –<br>Enforcement – Operation Trend Buster - \$61,252 | 5       |
| M-16   |                      | Grant Extensions – 2007 Urban Area Security Initiative -<br>Interlocal Agreement Amendment – City Of Miramar   | 5       |
| M-17   |                      | Commercial Crime Insurance Renewal - \$16,401.48   | 5       |
| M-18   |                      | Dixie Zone Master Swimming Championship – Social –<br>Event At Aquatic Complex   | 5       |
| M-19   |                      | Business Success Workshop – Co-Sponsorship -<br>Downtown Council – Greater Fort Lauderdale Chamber<br>Of Commerce                                      | 6       |
| M-20   |                      | Amendment – Task Order 2 – Corzo, Castella, Carballo,<br>Thompson, Salman, P.A. Northwest Neighborhood –<br>Improvement Project - \$35,230             | 6       |
| M-21   |                      | NW 6 Street – Sistrunk Boulevard – Jurisdiction And –<br>Responsibility Transfer Road Transfer Agreement –<br>Broward County                           | 6       |
| CR-01  | 11-                  | Amend Operating Budget – Appropriation \$10,000<br>Sponsorship – 2010 New Year's Eve Celebration   | 6       |
| CR-02  | 11-                  | Amend Operating Budget – Appropriation - \$15,000<br>Sponsorship – 2010 4 <sup>th</sup> Of July Celebration  | 7       |
| CR-03  | 11-                  | Amend Operating Budget – Appropriation – Police<br>Headquarters Fence - \$3,785  | 7       |

|        |        |  |    |
|--------|--------|--|----|
| PUR-01 |        | 612-10644 – Playground Protective Surfacing – Osswald Park - \$40,450.75   | 7  |
| PUR-02 |        | Structural Engineering Consultant Services – Continuing - Contract Lakdas/Yohalem Engineering Firm   | 8  |
| PUR-03 |        | 412-10671 – Replace And Refurbish Salt Water – Monitoring Wells - \$32,600 Saline Intrusion Monitoring Program   | 8  |
| PUR-04 |        | Structural Engineering Consultant Services – Continuing - Contract Bryntesen And Associates, Inc. D/B/A Bryntesen Structural Engineers   | 8  |
| PUR-05 |        | 713-10672 – Aluminum Fence – Sunset Memorial Gardens – \$82,118  | 9  |
| PUR-06 |        | 105-10498 – Police Department Cafeteria Concession - Services Contract Termination   | 9  |
| MD-01  |        | Water Research Foundation Subscription - \$34,777  | 9  |
| MD-02  |        | Rental Cars With Chauffeurs And, Or Sightseeing - Vehicles Certificate Of Public Convenience & - Necessity – Fort Lauderdale Transportation, Inc.  | 10 |
| MD-03  |        | Rental Cars With Chauffeurs And, Or Sightseeing - Vehicles Certificate Of Public Convenience & - Necessity – Fort Lauderdale Transportation, Inc.  | 10 |
| R-01   | 11-    | Dock Permit Application – Private Use of Public Property - Matthew And Kathryn A Birken Friedman – 901 Cordova Road  | 10 |
| R-02   | 11-    | Vacate 45 Foot Utility Easement – Broward County - 201 SE 6 Street – Broward County Courthouse – Case 11-M-10  | 10 |
| R-03   | 11-    | Vacate 7 Foot Utility Easement – Broward County - 201 SE 6 Street – Broward County Courthouse – Case 12-M-10   | 11 |
| R-04   | 11-    | Board And Committee Appointments   | 11 |
| CIT-01 |        | Ray Cox – Riverside Park Lighting  | 11 |
| CIT-02 |        | Jeff Weinberger – Religious Invocations at City Commission Meetings  | 11 |
| CIT-03 |        | Art Seitz – International Swimming Hall Of Fame - Financing, Recreational Design & Construction, Inc. – Peter Sheridan, 2002, 2003 City Audit, Barrier Islands, Connecting the Beach To Downtown, Dec. 2009 City Commission/Sasaki Commitments | 11 |
| PH-01  | C-11-- | Vacate Portion Of Right-Of-Way – SW 29 Street Keen-Dollar Enterprises – Case 4-P-10  | 12 |
| PH-02  |        | Multiple Non-Motorized Vehicle Licenses – Orient Express Rickshaws, LLC  | 12 |
| PH-03  |        | Multiple Non-Motorized Vehicle Licenses – Ocean View Rickshaw, Inc.  | 12 |
| O-01   | C-11-  | Pain Clinics – Moratorium Extension  | 13 |
| O-02   | C-11-  | Code Amendment – Section 5-29 (a) – Sales Of Alcoholic Beverages On Sundays  |    |



**2. OUTSTANDING CITY EMPLOYEES****(PRES-02)**

Phil Thornburg, Parks and Recreation Director, presented Vedasha Roopnarine with the Employee of the Month award for the continued work contributions she makes to the Parks and Recreation Department, including the competence and patience she exhibits providing assistance with software training for employees.

Cate McCaffrey, Director of Business Enterprises, and Ronna Adams, Central Services Manager, presented Donna Perez, Administrative Assistant, with the Outstanding Business Enterprises Department Employee award for the initiative, service, and excellence she displayed in implementing a program that provides cost savings for the City's certified mailings.

---

**Consent Agenda****(CA)**

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

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 - JEROME E. GRAY ESQ. HEALTH AND TEMPERANCE PARADE CLOSING CITY STREETS ALONG ROUTE****(M-01)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Southeastern Conference Association of Seventh Day Adventists, Incorporated for Jerome E. Gray Esq. Health and Temperance Parade, to be held February 19, 2011, 3 PM - 6 PM, from Mount Olive Church to Joseph C. Carter Park and closing city streets along route.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0041

---

**EVENT AGREEMENT - CORPORATE RUN CLOSING CITY STREETS ALONG ROUTE****(M-02)****No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Team Footworks Educational and Fitness Corporation for the Corporate Run, to be held March 24, 2011, 5 PM - 10 PM, at Huizenga Plaza and closing city streets along route.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 11-0129

---

**EVENT AGREEMENT - CORAL RIDGE GREEN MARKET AT PLAZA 3000** (M-03)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with ROS Enterprises, Inc. for Coral Ridge Green Market at Plaza 3000, to be held February 5, 2011 through April 30, 2011, 9 AM - 4 PM, at 3000 North Federal Highway.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 11-0130

---

**EVENT AGREEMENT - DUCK FEST DERBY** (M-04)  
**CLOSING SW 2 STREET**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Kids In Distress, Inc. for Duck Fest Derby, to be held February 12, 2011, 1PM - 4PM, at Esplanade and the New River and closing SW 2 Street, from SW 4 Avenue to SW 5 Avenue and SW 4 Avenue, from SW 2 Street south to the Riverwalk.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 11-0131

---

**EVENT AGREEMENT - HOBIE MIDWINTERS EAST SAILING REGATTA** (M-05)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with CAT 44, LLC for Hobie Midwinters East Sailing Regatta, to be held March 26, 2011, 7:30 AM - 5 PM, and March 27, 2011, 7:30 AM - 3 PM, at the sailboat launching area on Fort Lauderdale Beach and in the ocean.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 11-0132

---

**EVENT AGREEMENT - PALM 100 - ULTRAMARATHON** (M-06)

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Ultra Sports, LLC for Palm 100 - Ultramarathon, to be held from 6 AM, March 26, 2011, to 2 AM, March 27, 2011, beginning at East Las Olas Boulevard, going through the city and continuing north out of the city limits.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0134

---

**EVENT AGREEMENT - RIO VISTA CAMP OUT**

**(M-07)**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Rio Vista Civic Association, Inc. for Rio Vista Camp Out to be held from 9 AM, February 5, 2011, to 11 AM, February 6, 2011, at Virginia Schuman Young Park.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0138

---

**EVENT AGREEMENT - FORT LAUDERDALE ST. PATRICK'S DAY PARADE AND FESTIVAL CLOSING EAST LAS OLAS BOULEVARD AND SE 1 AVENUE**

**(M-08)**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Fort Lauderdale St. Patrick's Day Parade and Festival, Inc. for St. Patrick's Day Parade and Festival, to be held March 11, 2011, 12 Noon - 1 PM, and March 12, 2011, 12 Noon - 9 PM, at Huizenga Plaza, Las Olas Riverfront and on East Las Olas Boulevard and closing East Las Olas Boulevard and SE 1 Avenue.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0140

---

**EVENT AGREEMENT - 34TH ANNUAL WATERWAY CLEAN-UP**

**(M-09)**

**No budgetary impact.**

A motion authorizing and approving execution of an Event Agreement with Marine Industries Association of South Florida, Inc. for 34th Annual Waterway Cleanup, to be held March 5, 2011, 9 AM - 1 PM, at several waterfront locations citywide and approving co-sponsorship to allow banners at specified locations, subject to permitting regulations.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0145

---

**CHANGE ORDER 2 - SUN-UP ENTERPRISES, INC. - \$12,240 (M-10)**  
**ADA MODIFICATIONS, PARKING LOT REPAIRS AND CONSTRUCTION**

**Please see funding information attached to these minutes.**

A motion authorizing Change Order 2 to Sun-Up Enterprises, Inc., in the amount of \$12,240 – additional work - SE 8 Avenue landscaping, Fire Station 49 U-Lot, Southside School - 2010-2011 Annual Contract for ADA Modifications, Parking Lot Repairs and Construction - Project 11634.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1804

---

**CHANGE ORDER 4 - GATES BUILDERS, INC. - \$33,200 (M-11)**  
**FIRE STATION 49 - 1015 SEABREEZE BOULEVARD**

**Please see funding information attached to these minutes.**

A motion authorizing Change Order 4 with Gates Builders, Inc., in the amount of \$33,200 - turtle compliant lighting - Fire Station 49 - 1015 Seabreeze Boulevard - Project 10912.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0103

---

**CONTRACT EXTENSION - PALM BEACH MARINE CONSTRUCTION, INC. (M-12)**  
**OCEAN REGULATORY BUOYS AND NAVIGATIONAL SIGNS - \$64,000**

**Please see funding information attached to these minutes.**

A motion authorizing a one-year extension to contract with Palm Beach Marine Construction, Inc., in the amount of \$64,000 - 2011-2012 Annual Ocean Regulatory Buoys and Navigational Signs - Project 11651.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0104

---

**RAILROAD INFRASTRUCTURE AND UTILITY CROSSING LEASE – (M-13)**  
**\$28,862.83 FLORIDA EAST COAST RAILWAY AND**  
**FLAGLER DEVELOPMENT GROUP**

**Please see funding information attached to these minutes.**

A motion authorizing payment for Florida East Coast Railway and Flagler Development Group, in the amount of \$28,862.83 - maintenance requirements - railroad infrastructure and utility crossing lease - various locations.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0115

---

**FUNDS TRANSFER - \$23,956 - LAKE AIRE ROUNDABOUT (M-14)**  
**NEIGHBORHOOD CAPITAL IMPROVEMENT PROGRAM**

**Please see funding information attached to these minutes.**

A motion authorizing transfer of \$14,956 from Lake Air Street Light Project and \$9,000 from Neighborhood Improvements for a total of \$23,956 to Project 11389.331 to fund Lake Aire Roundabout – Project 11389.331 - Neighborhood Capital Improvement Program - due to delays in release of Community Development Block Grant funds by U.S. Department of Housing and Urban Development.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1839

---

**GRANT APPLICATION - EDWARD BYRNE MEMORIAL JUSTICE (M-15)**  
**ASSISTANCE GRANT - FLORIDA DEPARTMENT OF LAW ENFORCEMENT -**  
**OPERATION TREND BUSTER - \$61,252**

**No current year budgetary impact. Matching funds will be budgeted in FY 11/12, subject to the appropriation of the FY 11/12 budget.**

A motion authorizing the proper City Officials to apply for grant funds, in the amount of \$61,252, with a local cash match of \$5,318 - Florida Department of Law Enforcement - 2011-2012 Edward Byrne Memorial Justice Assistance Grant Program - Operation Trend Buster.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0151

---

**GRANT EXTENSIONS - 2007 URBAN AREA SECURITY INITIATIVE (M-16)**  
**INTERLOCAL AGREEMENT AMENDMENT - CITY OF MIRAMAR**

**No budgetary impact.**

A motion authorizing 1) extension of 2007 Urban Area Security Initiative grants primary and secondary agreements to June 30, 2011 and 2) proper City Officials to execute all



necessary documents to finalize the extension, including corresponding amendment to interlocal agreements with City of Miramar – sponsoring and coordinating agency.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0154

---

**COMMERCIAL CRIME INSURANCE RENEWAL - \$16,401.48** (M-17)

**Please see funding information attached to these minutes.**

A motion authorizing purchase of commercial crime insurance obtained through negotiation method - three-year contract with Travelers Casualty and Surety Company of America - March 1, 2011 through February 28, 2014 - \$5,467.16 per year and a total amount of \$16,401.48.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0144

---

**DIXIE ZONE MASTER SWIMMING CHAMPIONSHIP - SOCIAL EVENT AT AQUATIC COMPLEX** (M-18)

**No budgetary impact.**

A motion authorizing activity at Aquatic Complex which will include consumption of complimentary alcoholic beverages in a designated area - Dixie Zone Master Swimming Championship social event - February 25, 2011.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0139

---

**BUSINESS SUCCESS WORKSHOP - CO-SPONSORSHIP DOWNTOWN COUNCIL - GREATER FORT LAUDERDALE CHAMBER OF COMMERCE** (M-19)

**No budgetary impact.**

A motion approving co-sponsorship of Greater Fort Lauderdale Chamber of Commerce Downtown Council's Business Success Workshop, to be held March 16, 2011 at Florida Atlantic University's Fort Lauderdale campus, and use of City logo to assist in promoting the workshop.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0153

---

**AMENDMENT - TASK ORDER 2 - CORZO, CASTELLA, CARBALLO, THOMPSON, SALMAN, P.A. - NORTHWEST NEIGHBORHOOD IMPROVEMENT PROJECT - \$35,230** (M-20)

**Please see funding information attached to these minutes.**

A motion authorizing the proper City Officials to execute an amendment to Task Order 2 with Corzo, Castella, Carballo, Thompson, Salman, P.A., in the amount of \$35,230 - construction inspection services on Northwest Neighborhood Improvement Project 1485.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0098

---

**NW 6 STREET - SISTRUNK BOULEVARD - JURISDICTION AND RESPONSIBILITY TRANSFER ROAD TRANSFER AGREEMENT – BROWARD COUNTY** (M-21)

**No budgetary impact.**

A motion authorizing the proper City Officials to execute an agreement with Broward County – transferring road jurisdiction and responsibility to City - NW 6 Street - Sistrunk Boulevard - NW 19 Avenue to NW 24 Avenue (city limit).

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0149

|                           |
|---------------------------|
| <b>CONSENT RESOLUTION</b> |
|---------------------------|

**AMEND OPERATING BUDGET - APPROPRIATION - \$10,000 SPONSORSHIP - 2010 NEW YEAR'S EVE CELEBRATION** (CR-01)

**Please see funding information attached to these minutes.**

A resolution amending fiscal year 2010-2011 final operating budget, by accepting and appropriating \$10,000 in cash sponsorship from AT&T for 2010 New Year's Eve Celebration event including \$1,300 to pay Jan Beth Idelman, Inc., event fundraiser.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 11-0146

## RESOLUTION NO. 11-32

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011, BY ACCEPTING AND APPROPRIATING CASH SPONSORSHIP IN THE AMOUNT OF \$10,000.00 FROM AT&T FOR THE 2010 NEW YEAR'S EVE CELEBRATION AND APPROPRIATING EXPENSES IN THE AMOUNT OF \$10,000.00 INCLUDING A \$1,300.00 PAYMENT TO JAN BETH IDELMAN, INC., THE EVENT FUNDRAISER, AS SET FORTH IN THE ATTACHED EXHIBIT.

---

**AMEND OPERATING BUDGET - APPROPRIATION - \$15,000  
SPONSORSHIP - 2010 4TH OF JULY CELEBRATION**

**(CR-02)**

**Please see funding information attached to these minutes.**

A resolution amending fiscal year 2010-2011 final operating budget, by accepting and appropriating \$15,000 in cash sponsorship received from Comcast cable communications for a two-year sponsorship of 4th of July Celebration and \$1,950 to pay Jan Beth Idelman, Inc., event fundraiser.

**Recommend:** Adopt resolution.

**Exhibit:** Commission Agenda Report 11-0147

## RESOLUTION NO. 11-33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011, BY ACCEPTING AND APPROPRIATING CASH SPONSORSHIP IN THE AMOUNT OF \$15,000.00 FROM COMCAST CABLE COMMUNICATIONS FOR A TWO (2) YEAR SPONSORSHIP OF THE 4TH OF JULY CELEBRATION AND APPROPRIATING EXPENSES IN THE AMOUNT OF \$15,000.00 INCLUDING A \$1,950.00 PAYMENT TO JAN BETH IDELMAN, INC., THE EVENT FUNDRAISER, AS SET FORTH IN THE ATTACHED EXHIBIT.

---

**AMEND OPERATING BUDGET - APPROPRIATION –  
POLICE HEADQUARTERS FENCE - \$3,785****(CR-03)****Please see funding information attached to these minutes.**

A resolution amending 2010-2011 final fiscal year operating budget by appropriating \$3,785 from General Capital Projects Fund Balance to Police Department Operating Budget - upgrade to metal fence at Police Headquarters.

**Recommend:** Adopt resolution.**Exhibit:** Commission Agenda Report 11-0102

## RESOLUTION NO. 11-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING SEPTEMBER 30, 2011 BY APPROPRIATING FUNDS AS SET FORTH IN THE EXHIBIT ATTACHED, AND PROVIDING FOR AN EFFECTIVE DATE.

|                          |
|--------------------------|
| <b>PURCHASING AGENDA</b> |
|--------------------------|

**612-10644 - PLAYGROUND PROTECTIVE SURFACING –  
OSSWALD PARK - \$40,450.75****(PUR-01)****Please see funding information attached to these minutes.**

Contract to supply and install playground protective surfacing - Osswald Park - presented for approval by Public Works Department.

**Recommend:** Motion to approve.**Vendor:** Green Construction Technologies Inc.

Wilton Manors, FL

**Amount:** \$40,450.75**Bids Solicited/Rec'd:** 423/7**Exhibit:** Commission Agenda Report 11-0125

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

---

**STRUCTURAL ENGINEERING CONSULTANT SERVICES – (PUR-02)**  
**CONTINUING CONTRACT - LAKDAS/YOHALEM ENGINEERING, INC.**

**Purchases are made on as-needed basis derived from task orders and charged to individual project per available budget, in accordance with established pricing.**

Continuing contract with Lakdas/Yohalem Engineering, Inc. for structural engineering consulting services as solicited, selected and negotiated under Consultants Competitive Negotiations Act.

**Recommend:** Motion to approve.  
**Vendor:** Lakdas/Yohalem Engineering, Inc.  
 Fort Lauderdale, FL  
**Bids Solicited/Rec'd:** 1708/12  
**Exhibit:** Commission Agenda Report 11-0126

The Procurement Services Department has reviewed this item and recommends award and execution of a contract Agreement with Lakdas/Yohalem Engineering, Inc

**412-10671 - REPLACE AND REFURBISH (PUR-03)**  
**SALT WATER MONITORING WELLS - \$32,600**  
**SALINE INTRUSION MONITORING PROGRAM**

**Please see funding information attached to these minutes.**

Replace and refurbish seawater monitoring wells - Groups I, III and IV - Saline Intrusion Monitoring Program - presented for approval by Public Works Department.

**Recommend:** Motion to approve.  
**Vendor:** Vertical V-Southeast, Inc.  
 Fort Lauderdale, FL  
**Amount:** \$32,600.00  
**Bids Solicited/Rec'd:** 453/2  
**Exhibit:** Commission Agenda Report 11-0101

The Procurement Services Department has reviewed this item and recommends approval of this purchase from the low responsive and responsible bidder.

**STRUCTURAL ENGINEERING CONSULTANT SERVICES – (PUR-04)**  
**CONTINUING CONTRACT BRYNTESEN AND ASSOCIATES,**  
**INC. D/B/A BRYNTESEN STRUCTURAL ENGINEERS**

**Purchases are made on as-needed basis derived from task orders and charged to individual project per available budget, in accordance with established pricing.**

Continuing contract with Bryntesen and Associates, Inc. d/b/a Bryntesen Structural Engineers for structural engineering consulting services as solicited, selected and negotiated under the Consultants Competitive Negotiations Act.

**Recommend:** Motion to approve.

**Vendor:** Bryntesen and Associates, Inc. dba Bryntesen Structural Engineers  
Fort Lauderdale, FL

**Bids Solicited/Rec'd:** 1708/12

**Exhibit:** Commission Agenda Report 11-0127

The Procurement Services Department has reviewed this item and recommends award and execution of a contract Agreement with Bryntesen and Associates, Inc. dba Bryntesen Structural Engineers.

**713-10672 - ALUMINUM FENCE - SUNSET MEMORIAL GARDENS – (PUR-05)**  
**\$82,118**

**Please see funding information attached to these minutes.**

Contract for supply and installation of aluminum fence to replace perimeter chain link fencing at Sunset Memorial Gardens is being presented for approval by Business Enterprises.

**Recommend:** Motion to approve.

**Vendor:** -C's Builders, Inc.  
Deltona, FL

**Amount:** \$82,118.00

**Bids Solicited/Rec'd:** 327/9

**Exhibit:** Commission Agenda Report 11-0106

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

**105-10498 - POLICE DEPARTMENT CAFETERIA (PUR-06)**  
**CONCESSION SERVICES - CONTRACT TERMINATION**

**No budgetary impact.**

Terminate contract for cause - Police Department Cafeteria Concession Services - presented for approval by Police Department.

**Recommend:** Motion to approve.

**Vendor:** Ultimate Catering, LLC  
West Palm Beach, FL

**Bids Solicited/Rec'd:** N/A  
**Exhibit:** Commission Agenda Report 11-0095

The Procurement Services Department has reviewed this item and recommends cancellation of this contract.

---

The following items were removed from the Consent Agenda:

**Motion** made by Commissioner Roberts and seconded by Commissioner DuBose that Consent Agenda Items M-01 and M-17 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

---

**EVENT AGREEMENT - JEROME E. GRAY ESQ. HEALTH AND TEMPERANCE PARADE CLOSING CITY STREETS ALONG ROUT** (M-01)

Commissioner DuBose advised he removed this item from the consent agenda to correct a spelling error in Commission Agenda Report 11-0041; Mount Olive Church should be changed to Mt. Olivet Church.

**Motion** made by Commissioner DuBose and seconded by Commissioner Roberts to approve the item as presented. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

---

**COMMERCIAL CRIME INSURANCE RENEWAL - \$16,401.48** (M-17)

Joe Piechura, member of the Insurance Advisory Board, removed this item from the consent agenda simply to respond to any questions.

Being that fidelity bonds are stated in the Charter, Commissioner DuBose asked if a resolution should be created to utilize this commercial crime policy. James Drake, member of the Insurance Advisory Board, believed the commercial crime policy and fidelity bonds are essentially the same. He was uncertain what, if any, administrative measures should be taken by the City. Mr. Piechura clarified the name change resulted from a change in phraseology; but the commercial crime policy meets the same objective as the fidelity bond and will provide the same coverage. The board has reviewed this policy and is satisfied with it.

In response to Mayor Seiler, the City Attorney was comfortable with the board's evaluation that the commercial crime policy is basically the same as the fidelity bond. As long as they are functionally equivalent, it does not matter if it is called fidelity bond or commercial crime policy.

**Motion** made by Commissioner DuBose and seconded by Commissioner Roberts to approve the item as presented. Roll call showed: YEAS: Commissioner Roberts,

Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler.  
NAYS: None.

|                |
|----------------|
| <b>MOTIONS</b> |
|----------------|

**WATER RESEARCH FOUNDATION SUBSCRIPTION - \$34,777****(MD-01)**

**Please see funding information attached to these minutes.**

A motion approving one-year subscription to Water Research Foundation, Inc., in the amount of \$34,777.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 10-1853

**Motion** made by Commissioner Rodstrom and seconded by Commissioner DuBose to approve the item as presented. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

---

**RENTAL CARS WITH CHAUFFEURS AND, OR SIGHTSEEING VEHICLES - CERTIFICATE OF PUBLIC CONVENIENCE & NECESSITY-ECO CABS, LLC.****(MD-02)**

**No budgetary impact.**

Certificate of Public Convenience and Necessity for Rental Cars with Chauffeurs and, or Sightseeing Vehicles.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0032

In response to Commissioner Rodstrom, Valerie Bohlander, Director of Building Services, explained Eco Cabs (cabs) has generally the same route as the Sun Trolley, but the price difference will prevent competition. Commissioner Rodstrom asked if the cabs can reduce their price or if the trolley price can be raised. Skip Margerum, Community Inspections Supervisor, noted the rates will be set for the cabs tonight and cannot be changed without Commission approval. Commissioner Rodstrom noted her concern about competition for the trolley stems from the fact that it is partially funded by the taxpayers but agreed that the higher price for the cabs would likely prevent competition. In further response, Jason Bagley, representing Eco Cabs LLC, confirmed that the proposed cab vehicles are the same as those currently used in Wilton Manors; six-seat electric vehicles, similar to golf carts. In response to Vice Mayor Rogers, he explained the cab service will include on-call and wave-down pick-ups. He mentioned his meeting with Sun Trolley over one year ago in which the trolley expressed some interest in his proposal to coordinate with their services. In response to Vice Mayor



Rogers, he displayed slide depicting the proposed route. A copy of the slide is attached to these minutes.

In response to Commissioner Rodstrom, Commissioner Roberts indicated this would not come before the TMA (Transportation Management Association). He noted there is duplication of the trolley program; however, the cabs will operate until 5 a.m., while some trolley routes stop at 7 p.m. or 11 p.m. Mr. Bagley confirmed doorstep service is not provided..

Commissioner Roberts asked what measures the City is taking to ensure transportation companies like this are maintaining insurance and valid driver's licenses. Ms. Bohlander explained that type of information is received when the application is submitted. She indicated that is not checked during the application process, but believed the company would have licensed drivers in order to carry insurance. Commissioners Roberts and Rodstrom wanted assurance that these requirements continue to be met. The City Attorney advised that, generally, the City would be notified if the insurance is cancelled. If a certificate of public convenience and necessity is granted to the company, the City should require a yearly update. Ms. Bohlander confirmed that is done. In response to Vice Mayor Rogers and Commissioner DuBose, Ms. Bohlander explained that these companies are required to carry an annual policy with certain limits as defined in the ordinance; the certificates are approved by risk management.

**Motion** made by Vice Mayor Rogers and seconded by Commissioner DuBose to approve the item as presented. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

---

**RENTAL CARS WITH CHAUFFEURS AND, OR SIGHTSEEING VEHICLES - CERTIFICATE OF PUBLIC CONVENIENCE & NECESSITY-FT LAUDERDALE TRANSPORTATION, INC** (MD-03)

**No budgetary impact.**

Certificate of Public Convenience and Necessity for Rental Cars with Chauffeurs and, or Sightseeing Vehicles.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 11-0033

Commissioner Rodstrom questioned the difference between a rental car with chauffeur and a sightseeing vehicle.

Mayor Seiler opened the floor for public comment.

Michael Solomon, representing Fort Lauderdale Transportation, Inc., explained that the ordinance is written to include sightseeing vehicles, but this program will perform pick-ups and drop-offs in the city. In this application, these vehicles will not be used as sightseeing vehicles.

**Motion** made by Commissioner Rodstrom and seconded by Commissioner Roberts to approve the item as presented. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

|                    |
|--------------------|
| <b>RESOLUTIONS</b> |
|--------------------|

**DOCK PERMIT APPLICATION - PRIVATE USE OF PUBLIC PROPERTY (R-01)  
MATTHEW AND KATHRYN A BIRKEN FRIEDMAN - 901 CORDOVA ROAD**

**No Budgetary Impact.**

**Recommend:** Introduce resolution.

**Exhibit:** Commission Agenda Report 11-0116

Vice Mayor Rogers introduced the following resolution:

RESOLUTION NO. 11-28

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING, PURSUANT TO SECTION 8-144 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE USE AND MAINTENANCE OF AN EXISTING DOCK ON PUBLIC PROPERTY BY APPLICANT MATTHEW AND KATHRYN A. BIRKEN FRIEDMAN; SAID DOCK AND SEAWALL LOCATED ADJACENT TO AND EAST OF CORDOVA ROAD WITHIN APPLICANT'S PROPERTY LINES IMMEDIATELY EAST OF THEIR RESIDENCE WHICH HAS A STREET ADDRESS OF 901 CORDOVA ROAD THE LEGAL DESCRIPTION OF WHICH IS MORE PARTICULARLY DESCRIBED BELOW; PROSCRIBING CERTAIN TERMS AND CONDITIONS; REQUIREMENT FOR RECORDING A CERTIFIED COPY OF THIS RESOLUTION IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; REPEALING ANY RESOLUTION IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

In response to Mayor Seiler and Commissioner Roberts, the City Attorney confirmed that the staff conditions included in the Marine Advisory Board's recommended approval are incorporated in the resolution.

---

**VACATE 45 FOOT UTILITY EASEMENT - BROWARD COUNTY - (R-02)**  
**201 SE 6 STREET - BROWARD COUNTY COURTHOUSE - CASE 11-M-10**

**No Budgetary Impact.**

**Recommend:** Introduce resolution.

**Exhibit:** Commission Agenda Report 11-0079

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 11-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A PORTION OF THAT UTILITY EASEMENT OVER A PORTION OF PARCEL "A, "BROWARD COUNTY COURTHOUSE PHASE I", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 124, PAGE 1 AND RECORDED IN OFFICIAL RECORD BOOK 10060, PAGE 850 AND OFFICIAL RECORD BOOK 12074, PAGE 313, ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE BROWARD COUNTY COURTHOUSE PROPERTY, NORTH OF NORTHEAST 6TH STREET BETWEEN SOUTHEAST 1ST AVENUE AND SOUTHEAST 3RD AVENUE LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

---

**VACATE 7 FOOT UTILITY EASEMENT - BROWARD COUNTY (R-03)**  
**201 SE 6 STREET - BROWARD COUNTY COURTHOUSE - CASE 12-M-10**

**No budgetary impact.**

**Recommend:** Introduce resolution.

**Exhibit:** Commission Agenda Report 11-0080

Commissioner Rodstrom introduced the following resolution:

## RESOLUTION NO. 11-30

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A PORTION OF THAT UTILITY EASEMENT OVER A PORTION OF PARCEL "A", "BROWARD COUNTY COURTHOUSE PHASE I", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 124, PAGE 1 AND RECORDED IN OFFICIAL RECORD BOOK 2322, PAGE 845, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE BROWARD COUNTY COURTHOUSE PROPERTY NORTH OF NORTHEAST 6<sup>TH</sup> STREET, BETWEEN SOUTHEAST 1<sup>ST</sup> AVENUE AND SOUTHEAST 3<sup>RD</sup> AVENUE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

---

**BOARD AND COMMITTEE APPOINTMENTS**
**(R-04)****No budgetary impact.**

The City Clerk announced that Sam Monroe is being appointed to the Budget Advisory Board and the Fire Rescue Facilities Bond Issue Blue Ribbon Committee effective February 1, 2011.

The City Clerk announced the appointees/re-appointees who were the subjects of this resolution:

|                                  |   |
|----------------------------------|---|
| Audit Advisory Board             | Richard Owen (Vice Mayor Rogers)  |
| Centennial Celebration Committee | Mark Halgunseth (Mayor Seiler)  |
| Community Services Board         | Kenneth Staab (Commissioner Roberts)<br>Earl Bosworth (Commissioner Rodstrom)<br>Helen Hinton (Commissioner DuBose) |
| Education Advisory Board         | Theron Douglas (Commissioner DuBose)<br>Lillian Small (Commissioner DuBose)   |
| Sustainability Advisory Board    | Dana Pollitt (Commissioner Rodstrom)  |
| Utility Advisory Committee       | Dennis West (Commissioner Rodstrom)   |

Commissioner Roberts introduced the following resolution:

## RESOLUTION NO. 11-31

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

|                              |
|------------------------------|
| <b>CITIZEN PRESENTATIONS</b> |
|------------------------------|

**RAY COX – RIVERSIDE PARK LIGHTING****(CIT-01)**

Mr. Cox was not present.

Note: Citizen Presentations are continued on page 26

|                        |
|------------------------|
| <b>PUBLIC HEARINGS</b> |
|------------------------|

**VACATE PORTION OF RIGHT-OF-WAY - SW 29 STREET  
KEEN-DOLLAR ENTERPRISES - CASE 4-P-10****(PH-01)****No Budgetary Impacts.**

**Applicants:** Keen-Dollar Enterprises, Inc. and Florida East Coast Railway, LLC.  
**Location:** SW 29 Street, between South Andrews Avenue and FEC railway  
**Zoning:** Heavy Commercial/Light Industrial Business B-3

**ALL INDIVIDUALS WISHING TO SPEAK ON THIS MATTER WERE SWORN IN.**

Members of the Commission announced with whom he or she had spoken with and/or site visits made concerning this matter.

There being no individuals wishing to speak on this matter, a **motion** was made by Commissioner Rodstrom and seconded by Commissioner Roberts to close the public hearing. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None

Vice Mayor Rogers introduced the following ordinance on FIRST reading:

## ORDINANCE NO. C-11-05

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF SOUTHWEST 29 STREET

(PLATTED AS CUBA AVENUE), BOUNDED ON THE EAST BY THE WEST RIGHT OF WAY LINE OF SOUTH ANDREWS AVENUE AND BOUNDED ON THE WEST BY THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 10, BLOCK 13, ALL AS SHOWN ON THE PLAT OF "MIDWAY SECTION OF CROISSANT PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 63, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF SOUTH ANDREWS AVENUE AND EAST OF THE FEC RAILROAD, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

---

**MULTIPLE NON-MOTORIZED VEHICLE LICENSES -  
ORIENT EXPRESS RICKSHAWS, LLC**

**(PH-02)**

**No budgetary impact.**

**Applicant:** Orient Express Rickshaws, LLC

Multiple Non-Motorized Vehicle Licenses - transportation within East Sunrise Boulevard to State Road A-1-A, then south to 17th Street Causeway, then west to Federal Highway, then north to Sunrise Boulevard including major roads and the area they enclose.

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

**Exhibit:** Commission Agenda Report 11-0034

Mayor Seiler opened the floor for public comment.

Robert Walsh, 401 East Las Olas Boulevard, claimed a woman appeared before a former Commission who suffered severe injuries from falling off a rickshaw operated by a company that did not have enough insurance. He thought the proposed company should be required to hold a minimum of \$1 million insurance coverage and have directionals located on both sides of the rickshaw. Rickshaw operators should complete a safety course because he understood they are not required to hold a driver's license. He also wanted the operators to be polite to the public.

There being no other individuals wishing to speak on this matter, a **motion** was made by Commissioner Rodstrom and seconded by Commissioner Roberts to close the public hearing. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None

Commissioner Roberts indicated he shares some of the concerns mentioned by Mr. Walsh. He thought rickshaws should not be allowed on drawbridges or Federal Highway. He believed rickshaws have had inadequate lighting in the past, and are difficult to see at night. He questioned whether rickshaws have a standard for safety features, and wanted to know how the City will ensure the company maintains adequate insurance and that it adheres to safety practices. He liked the idea of having rickshaws, but thought the number should be limited. Deborah Hernandez, Code Enforcement, explained that non-motorized vehicles (rickshaw) are prohibited to operate in disregard of any applicable state traffic law. The City's ordinance has established the insurance requirements which she delineated. Commissioner Roberts asked if the City is notified of an insurance lapse. He recalled a prior incident where a (rickshaw) company did not carry enough insurance to cover the cost of serious injuries. Ms. Hernandez explained an ordinance amendment would be required to increase the company's required liability coverage. Code Enforcement confirms the company's insurance coverage annually before permits are renewed. She noted that risk management could confirm whether the City is notified of any lapse. Mayor Seiler thought the required coverage amount is low. Valerie Bohlander, Director of Building Services, agreed, but was uncertain how much insurance coverage is required for rickshaws in other cities.

Commissioner Rodstrom noted that some of the roads in the route are not City roads, and questioned whether the State and, or County should be included in this decision. The City Attorney explained the City's ordinance has to do with issuance of a certificate of public convenience and necessity. The company and its vehicles would still have to meet all the State and County requirements for travel on their roads. Commissioner Rodstrom questioned how the City would know that the company is meeting State and County requirements. Commissioner Roberts agreed and expressed concern that there is no system in place to ensure the rickshaws are inspected for adherence to laws and safety regulations. Commissioner Rodstrom indicated she is not opposed to rickshaws; she felt they serve a need. But, she was concerned that the proposed route includes Federal Highway. She elaborated upon factors that would increase her comfort in making this decision. She felt she does not have enough information. Commissioner Roberts remarked that the proposed route includes the (Henry Kinney) tunnel which poses a significant safety issue. He thought this item should be revisited after more information is gathered.

In response to Mayor Seiler, Jay Alexander, Ocean View Rickshaw, explained that other cities require \$1 million in coverage. Many require rickshaw inspections and operators to present a driver's license and pay a fee to obtain a (rickshaw) license. In response to questions raised by Commissioner DuBose and Vice Mayor Rogers, he believed the coverage is for \$1 million per occurrence. Ocean View carries this policy for all of the facilities it operates. He thought the regulations in general should be updated, and elaborated upon requirements he thought should be included.

In response to Commissioner DuBose, Ms. Bohlander noted the insurance limits are included in the City's ordinance; she was uncertain how often they are reviewed by risk management. The City Attorney did not recall the last time this was reviewed; but risk management reviewed it when the ordinance was originally adopted. Ms. Bohlander noted the ordinance has been in place since 1988. Mayor Seiler thought an update is needed. Commissioner DuBose expressed concern about the length of time since this was last reviewed. The Acting City Manager agreed to have this reviewed.

**Motion** made by Commissioner Roberts and seconded by Commissioner Rodstrom to defer the item to March 1, 2011.

Howard Gossack, representing Orient Express Rickshaws, LLC, agreed that the City's insurance requirement is low. He went on to mention that Orient Express carries a \$2 million/\$1 million policy on their Orlando operation. He believed Ocean View Rickshaw has an exemplary safety reputation, and he looks forward to operating with them. He doubted their route would include Federal Highway. He was hopeful to begin operating in the Fall.

In response to Mayor Seiler, Ms. Bohlander indicated that two weeks' time is inadequate to amend the ordinance. The City Attorney believed restrictions could be placed on this application, but in order to come up with the restrictions, this should be deferred for two weeks or a month.

Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

In response to Commissioner Rodstrom, the City Attorney advised he will work on the conditions which will be put in an ordinance and presented at a later date. In response to Mayor Seiler and Commissioner DuBose, Ms. Bohlander confirmed she will contact other cities and work with risk management with respect to an appropriate insurance coverage level.

---

**MULTIPLE NON-MOTORIZED VEHICLE LICENSES -  
ORIENT EXPRESS RICKSHAWS, LLC**

**(PH-03)**

**No budgetary impact.**

**Applicant:** Ocean View Rickshaw, Inc.

Multiple Non-Motorized Vehicle Licenses - transportation in Fort Lauderdale beach area between Pelican Resort on the north and Hyatt Regency Pier 66 on the south.

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

**Exhibit:** Commission Agenda Report 11-0035

Mayor Seiler and Commissioner Roberts indicated this route is better than the previous item's (PH-02).

Mayor Seiler opened the floor for public comment.

Art Seitz, 1905 N. Atlantic Boulevard, recalled a rickshaw accident where two people were seriously injured, and the company had inadequate insurance. He contended the City has some of the worst bicycle and pedestrian facilities in the country. He believed that the entire grid should be addressed. Proper insurance coverage is necessary for rickshaws. He hoped the Commission would resolve this.



There being no other individuals wishing to speak on this matter, a **motion** was made by Commissioner Roberts and seconded by Commissioner Rodstrom to close the public hearing. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None

Commissioner Rodstrom asked what accommodations are being made for that section of A-1-A between the Pelican Grand Beach Resort (Pelican) and the Hyatt Regency Pier 66 (Pier 66) that is extremely narrow, congested and dimly lighted because of the sea turtles. Jay Alexander, representing Ocean View Rickshaw, Inc., explained the rickshaws operate in the bicycle lane, not in traffic. He elaborated upon procedure according to state law for cyclists in bike lanes. In the event the rickshaw needs to give right-of-way to a cyclist, Commissioner Rodstrom noted that the vehicle parking south of the Pelican does not allow adequate space for the rickshaw to move to the right. Mr. Alexander noted that state law specifies that a cyclist should not overtake another cyclist in a bike lane. The legal description of a rickshaw is a non-motorized vehicle for hire. Commissioner Rodstrom maintained that the area is congested and there are no alternate routes. Mr. Alexander noted Ocean View's fourteen year experience operating on Fort Lauderdale beach. Many accidents occur due to lack of lighting and training. Ocean View operators must complete rigorous training before giving rides to the public. As for crossing the Las Olas bridge, Ocean View customers are dropped off on the sidewalk to walk over the bridge, and picked up again after crossing. The route from the Pelican to Pier 66 is not a new route; Ocean View has operated south to Pier 66 all along. The business relating to the Pelican is mainly on-call. He also mentioned Ocean View is working with North Beach Civic Association to provide rides to the north beach to bring more business to the area. Commissioner Rodstrom noted that the parallel parking area on the west side of A-1-A, just south of the Pelican to Birch State Park has always posed issues for bicyclists. Mr. Alexander maintained that proper training is key and stressed that safety is a focus, however accidents happen. Commissioner Rodstrom continued to express concern about safety. Mr. Alexander commented that accidents happen as part of life. She asked where the rickshaws are currently being operated. Mr. Alexander explained Ocean View provides hotel services, trying to serve as a connector to other transportation modes. Drivers also provide customers with historical information about the city. During their fourteen years of operation, Ocean View has never experienced a situation between Sunrise Boulevard and the Pelican. He clarified that this request is for additional licenses to their current operation, although he agreed with Commissioner Roberts that there should be a limitation on the number.

In response to Vice Mayor Rogers, Mr. Alexander indicated Ocean View has not had any accidents on the route between 17<sup>th</sup> Street Causeway to Harbor Beach Marriott which is mainly used during the boat show. The neighborhoods are used in those cases. He indicated travel over the 17<sup>th</sup> Street bridge which has a large bicycle lane, but is difficult to peddle over. For all bridges, Ocean View operators are trained to drop off the passengers to cross the bridge on foot. He noted the rickshaw lighting pursuant to state law and added measures taken by Ocean View to enhance their visibility. In further response, he stressed that Ocean View is very particular about whom it advertises; it does not carry risqué advertisers. All rickshaw operators wear uniforms with company identification. Ocean View carries higher insurance limits than currently required by the City.

Vice Mayor Rogers asked if the Commission can make the higher insurance limits which the Applicant already carries one condition of the approval, rather than waiting until the

ordinance is changed. The City Attorney thought a condition could be added, but, because the previous item was deferred, he recommended this item also be deferred and considered at the same time. Commissioner Roberts agreed. He wanted the City to inspect the rickshaws. Mr. Alexander agreed, and elaborated upon such a program he proposed some time ago. Commissioner Roberts suggested Mr. Alexander meet with staff to assist in developing procedures.

**Motion** made by Commissioner Roberts and seconded by Commissioner Rodstrom to defer the item to March 1, 2011. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

|                   |
|-------------------|
| <b>ORDINANCES</b> |
|-------------------|

**PAIN CLINICS - MORATORIUM EXTENSION**

**(O-01)**

**No budgetary impact.**

Vice Mayor Rogers introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-11-06

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA EXTENDING THE MORATORIUM ON THE ISSUANCE OF BUSINESS TAX RECEIPTS FOR OPERATION OF "PAIN CLINICS" AND "PAIN MANAGEMENT CLINICS" FOR AN ADDITIONAL ONE HUNDRED AND EIGHTY (180) DAYS; PROVIDING FOR AN EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, Vice Mayor Rogers, and Mayor Seiler. NAYS: None.

In response to Vice Mayor Rogers, the City Attorney explained Davie's ordinance is being compared with the one the City is currently working on. The ordinance will be presented to the Commission in March, 2011. It will then go to the Planning and Zoning Board in April and will be brought back for first and second reading in May. By that time, the City will have a complete analysis of what Davie and several other jurisdictions have done to compare with what is being proposed.

---

**CODE AMENDMENT - SECTION 5-29 (a) - SALE OF ALCOHOLIC BEVERAGES ON SUNDAYS**

**(O-02)**

**No budgetary impact.**

Commissioner Roberts introduced the following ordinance on FIRST reading:

Mayor Seiler opened the floor for public comment.

Robert Walsh, 401 East Las Olas Boulevard, expressed concern about the safety of guests staying at mom-and-pop hotels on the beach if alcohol is allowed at 7 a.m. on Sunday. He felt it is a safety hazard. He suggested a six-month trial program.

Dan Lindblade, representing Greater Fort Lauderdale Chamber of Commerce, indicated this is consistent with the issues previously addressed and is a good compromise. The Chamber supports it.

There was no one else wishing to speak.

#### ORDINANCE NO. C-11-07

AN ORDINANCE AMENDING SECTION 5-29 (a) OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA PERMITTING SALE AND ON PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES FOR CERTAIN VENDORS; PROVIDING FOR HOURS OF SALE AND CONSUMPTION; PROVIDING FOR AN EFFECTIVE DATE AND SEVERABILITY.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioner Roberts, Commissioner Rodstrom, Commissioner DuBose, and Mayor Seiler. NAYS: Vice Mayor Rogers.

#### CITIZEN PRESENTATIONS

Citizen Presentations continued from Page 19

#### **JEFF WEINBERGER – RELIGIOUS INVOCATIONS AT CITY COMMISSION MEETINGS**

**(CIT-02)**

Mr. Weinberger referred to a letter he claimed was written by Reverend Gail Tapscott of the Unitarian Universalist Church of Fort Lauderdale, that emphasizes diversity of faiths in the city and encouraged the Commission to acknowledge this diversity in the invocations that begin their meetings. He remarked on references to religious freedom in the Bill of Rights and elaborated upon a court opinion that he contended would uphold the Commission's right to present religious invocations. But, he claimed this same opinion also states that a process for choosing clergy to present invocations that does not allow for diversity is a violation of the establishment clause. He pointed out that over the past thirteen months, every City invocation but two were given by Christian clerics. He requested the Commission disclose the process for choosing invocation clerics and guarantee greater diversity in the future. He expressed his love for the first amendment; though he is offended when asked to hear a prayer to a god he does not worship. He further requested that a guideline be created for clerics to frame their invocations in a non-denominational manner. He went on to quote Martin Luther King, Jr.'s position about prayer in public schools. Mayor Seiler provided Mr. Weinberger the City's policy

on invocations and a rotational list of approximately forty clerics who have signed up and are contacted for availability. Commissioner Rodstrom and Mayor Seiler stressed that clerics from any religion are welcome to sign up.

---

**ART SEITZ – INTERNATIONAL SWIMMING HALL OF FAME FINANCING, (CIT-03)  
RECREATIONAL DESIGN & CONSTRUCTION, INC. – PETER SHERIDAN,  
2002, 2003 CITY AUDIT, BARRIER ISLAND, CONNECTING THE BEACH TO  
DOWNTOWN, DEC., 2009 CITY COMMISSION/SASAKI COMMITMENTS**

Art Seitz referred to a proposal for converting the railroad bridge to look like an alligator. He thought this would get major media exposure for the City. This project was endorsed over a year ago by the Centennial Celebration Committee.

He referred to a concert hall in Miami wherein performances can be viewed indoors and outdoors. He suggested incorporating a similar attraction for Fort Lauderdale beach, possibly as part of the Bahia Mar or International Swimming Hall of Fame (ISHOF).

He referred to the A-1-A Beachfront Promenade project discussed by the Community Redevelopment Agency. He thought there would be a problem with sand accumulating onto the east side of the wave wall.

He urged the Commission to seek an expert's opinion to guide the decision-making process for redevelopment of the International Swimming Hall of Fame (ISHOF) project. He felt the beach should be resident oriented and the Intracoastal Waterway should be capitalized upon. He elaborated upon beach area improvements that he claimed would be more viable attractions than the current ISHOF.

---

There being no other matters to come before the Commission, the meeting was adjourned at 7:44 p.m.

---

John P. "Jack" Seiler  
Mayor

ATTEST:

---

Jonda K. Joseph  
City Clerk