

**FORT LAUDERDALE CITY COMMISSION REGULAR MEETING**  
**OCTOBER 16, 2012**

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12-2125	PUR-1		ONE-YEAR AGREEMENT EXTENSIONS FOR STRUCTURAL ENGINEERING CONSULTANT SERVICES - DeRose Design Consultants, Inc., Lakdas/Yohalem Engineering, Inc. and Bryntesen and Associates, Inc. and authorizing proper City Officials to execute the extensions	8
12-2156	PUR-2		PURCHASE FIXED ASSET INVENTORY SERVICES in the amount of \$99,800 from Specialty Property Appraisals, LLC and reject all bids received for RFP 125-10873 - fixed asset consulting services/project management	8
12-2170	PUR-3		SECURE FACILITY TO HOST 2012 SOUTH FLORIDA REGIONAL CITIZEN CORPS CONFERENCE - \$30,000 - Marriott Hotel Services, Inc. at their Fort Lauderdale Harbor Beach Marriott Resort and Spa	8
12-2184	PUR-4		ONE-YEAR AGREEMENT EXTENSION FOR MECHANICAL, ELECTRICAL, PLUMBING CONSULTANT SERVICES - DeRose Design Consultants, Inc. and Gartek Engineering Corporation and authorizing proper City Officials to execute the extension	9
12-2224	PUR-5		PROPRIETARY PURCHASE - HARDWARE AND SOFTWARE MAINTENANCE RENEWALS in the amount of \$309,154 with Cogsdale Corporation (financial accounting management and budget preparation), Sungard Public Sector, Inc. (Community Plus) and Environmental Systems Research Institute, Inc. (GIS)	9

12-2227	PUR-6		CONTRACT EXTENSIONS FOR BANKING AND CREDIT CARD PROCESSING SERVICES not to exceed nine months through June 30, 2013, with Wells Fargo Bank, N.A. and Elavon, Inc. in the amount of \$142,282.25 and authorize proper City Officials to execute all necessary documents, contingent upon each vendor agreeing to extension	9
12-2251	PUR-7		CONTRACT EXTENSION FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES not to exceed ninety days through January 31, 2013 in the amount of \$952,600.50 with Choice Environmental Services of Broward, Inc.	9
12-2259	PUR-8		TWO-YEAR CONTRACT FOR MULTI-SPACE PARKING METERS, SUPPLIES, MAINTENANCE, SUPPORT in the amount of \$477,600 with Global Parking Solutions USA, LLC, and authorize City Manager or designee to approve renewal options contingent upon approval and appropriation of funds	9
12-2310	R-1		APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS All vacancy information is provided under Conference item BD-2	11
12-2316	R-2	12-194	EXPRESSING SUPPORT FOR ADOPTION OF A PLAN FOR COOPERATIVE COUNTYWIDE CONSOLIDATION OF E-911 COMMUNICATIONS AND DISPATCH SERVICES WHOLLY FUNDED THROUGH BRWOARD COUNTY AD VALOREM TAXES	11
12-2358	R-3	12-195	SUNNYLAND HOMES - SETTLEMENT AGREEMENT WITH HOUSING AUTHORITY and authorizing proper City Officials to execute all necessary documents	12
12-2235	PH-1	C-12-41	QUASI-JUDICIAL - FIRST READING OF ORDINANCE - VACATION OF RIGHT-OF-WAY - NE 5 Terrace, south of NE 5 Street and west of Federal Highway - Case 7-P-12 Applicant: The Pearl at Flagler Village 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 record.	13
12-2307	O-1	C-12-39	SECOND READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATIONS, SECTIONS 47-20, PARKING AND LOADING REQUIREMENTS - implementing recommendations of Barrier Island Parking Study - Case 9-T-12	14
12-2296	O-2	C-12-	SECOND READING OF ORDINANCE AMENDING CODE OF ORDINANCES - SECTIONS 26-91(C) AND 26-161 - Increase surcharge for School Crossing Guard Program and increase maximum parking fee at Fort Lauderdale Beach Park Lot for Special Events	15
12-2391	OB	12-204	WALK-ON RESOLUTION- CONCERNING AMENDMENT 4 TO THE FLORIDA CONSTITUTION	10
12-2387	OB		WALK-ON EVENT AGREEMENT - MOTION TO APPROVE an Agreement with Delta Education and Life Development Foundation, Inc.	10
12-2388	OB		WALK-ON EVENT AGREEMENT - MOTION TO APPROVE an Agreement with Dolphins Cycling Challenge, Inc.	10
	OB		WALK-ON PROCLAMATION – LIGHTS ON AFTER SCHOOL DAY	2
	OB		MOTION FOR RECONSIDERATION OF ONE-YEAR CONTRACT FOR THE MAINTENANCE OF CITY OWNED STORMWATER STRUCTURES FOR UTILITY OPERATIONS in the amount of \$69,650 from A & A Drainage & Vac Services, Inc. and authorize the City Manager or his designee to approve all extension options (Agenda Item PUR-9, Memorandum 12-2223, October 2, 2012)	16

**MINUTES OF A REGULAR MEETING  
CITY COMMISSION  
FORT LAUDERDALE  
October 16, 2012**

Meeting was called to order at 6:03 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1<sup>st</sup> floor Chambers.

Roll call showed:

Present: Commissioner Bruce G. Roberts  
Vice Mayor Charlotte E. Rodstrom  
Commissioner Romney Rogers  
Commissioner Bobby B. DuBose  
Mayor John P. "Jack" Seiler

Absent: City Manager Lee R. Feldman

Also Present: Assistant City Manager Susanne Torriente  
City Auditor John Herbst  
City Clerk Jonda K. Joseph  
City Attorney Harry A. Stewart  
Sergeant At Arms Sergeant Ed Stewart

Invocation was offered by Ron Perkins, Senior Chaplain, Fort Lauderdale Police Department Seafarer's House at Port Everglades, followed by the recitation of the pledge led by Harry Stewart, City Attorney.

**NOTE: All items were presented by Mayor Seiler unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).**

**Motion** made by Commissioner Roberts and seconded by Commissioner Rogers to approve the minutes of the August 27, 2012 Joint Workshop with Budget Advisory Board, September 5, 2012 Regular Meeting and September 13, 2012 Special Meeting. YEAS: Commissioner Roberts, Vice Mayor Rodstrom, Commissioner Rogers, and Mayor Seiler. NAYS: None.

Commissioner DuBose was not present for this vote. He left the meeting momentarily.

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**PRES-1 12-2211 COMMUNITY APPEARANCE BOARD WOW AWARDS FOR DISTRICTS II AND IV**

Vice Mayor Rodstrom recognized Paul Ergon who resides in the Las Olas area as the recipient of the WOW Award for District II. Mr. Ergon thanked the Commission.

Commissioner Rogers recognized John and Jannifer Cohen of River Oaks as the recipients of the WOW Award for District IV. Karen J. Doyle, Vice Chair of the Community Appearance Board, accepted the award on the Cohens' behalf and thanked the Commission.

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**PRES-2 12-2277 PROCUREMENT SERVICES DIVISION OF FINANCE DEPARTMENT –  
ACHIEVEMENT OF EXCELLENCE IN PROCUREMENT AWARD –  
TENTH TIME**

Susanne Torriente, Assistant City Manager, recognized Kirk Buffington, Deputy Director of Finance, for attaining the 17<sup>th</sup> Annual National Procurement Institute's Achievement of Excellence in Procurement Award for 2012. The City has received this award for ten consecutive years. Mr. Buffington thanked the City Manager and Commission for their support, as well as staff for their service and teamwork.

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**PRES-3 12-2363 COMMENDATION TO LINDA IVERSEN, AVIATION ADVISORY  
BOARD MEMBER, FOR HER ROLE IN SECURING A SECOND AIR  
TRAFFIC CONTROLLER AT EXECUTIVE AIRPORT REIMBURSED BY  
THE FEDERAL AVIATION ADMINISTRATION**

Commissioner Roberts presented a commendation to Linda Iversen, member of the Aviation Advisory Board, for initiating the brokerage of a deal to secure reimbursement for a second air traffic controller at the Executive Airport from the FAA (Federal Aviation Administration) over the next five years which will save the City over \$1 million. Clara Bennett, Airport Manager, expressed gratitude to Ms. Iverson and the Aviation Advisory Board for their support. Pamela Bushnell, Tamarac City Commissioner and non-voting Tamarac representative on the Aviation Advisory Board, praised Ms. Iverson for her efforts which led to a sizeable savings for the City.

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**PRES-4 12-2366 PROCLAMATION DECLARING OCTOBER, 2012, AS RESIDENTS  
RIGHT MONTH**

Commissioner DuBose presented a proclamation designating October, 2012, as Residents Rights Month in the City to Laura Leite, Regional Manager, Department of Elder Affairs, and DeLois Williams, District Manager, Department of Elder Affairs, and Florida's Long-Term Care Ombudsman. Ms. Williams thanked the Commission for honoring ombudsmen in Broward County who serve on a voluntary basis.

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**OB WALK-ON PROCLAMATION – LIGHTS ON AFTER SCHOOL DAY**

Commissioner DuBose presented a proclamation designating October 18, 2012, as Lights On Afterschool Day in the City to Sandra Bernard-Bastien, Children's Services Council, and Adamma DuCille, YMCA. Ms. Bernard-Bastien thanked the Commission for their support and the Children's Services Council partners for making it possible for 400 to 500 children to be part of this initiative.

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**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.

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**M-1      12-2161    INTERLOCAL AGREEMENT WITH U.S. MARSHALS SERVICES FOR INTEROPERABLE PUBLIC SAFETY RADIO COMMUNICATIONS and authorize City Manager to execute on behalf of City**

**There is no fiscal impact associated with this action**

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**M-2      12-2237    SETTLEMENT OF WORKER'S COMPENSATION FILE WC-07-12987 (Kimberly Van Sant) - \$514,319**

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

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**M-3      12-2342    PUBLIC OFFICIALS AND EMPLOYMENT PRACTICES LIABILITY INSURANCE POLICY RENEWAL - \$166,860 - National Union Fire Insurance Company of Pittsburgh, PA**

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

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**M-4      12-2243    EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: 1) St. Jerome Fall Festival, 2) Novemberfest 2012, 3) Float Parade, 4) Healthy Living - Better Health Fair, 5) Day of the Dead Celebration, 6) Flavors of Fort Lauderdale, 7) Medicare Informational - CVS/Pharmacy and 8) Museum of Discovery MAD for MODS Gala.closings: 1) St. Jerome Fall Festival, 2) Novemberfest 2012, 3) Float Parade, 4) Healthy Living - Better Health Fair, 5) Day of the Dead Celebration, 6) Coral Ridge Green Market at Plaza 3000, 7) Medicare Informational - CVS/Pharmacy and 8) Museum of Discovery MAD for MODS Gala and 9) Flavors of Fort Lauderdale**

**There is no fiscal impact associated with this action.**

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**M-5      12-2260    GRANT APPLICATION - BROWARD COUNTY LAND STEWARDSHIP PROGRAM - PARKS FOR PEOPLE GRANT FOR GORE BETZ PARK - \$75,000 - City match**

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

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**M-6      12-2351   GRANT   APPLICATION   -   BROWARD   COUNTY   LAND  
STEWARDSHIP PROGRAM - PARK FOR PEOPLE GRANT FOR  
LEWIS LANDING PARK - \$75,000 - City match**

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

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**M-7      12-2352   GRANT   APPLICATION   -   BROWARD   COUNTY   LAND  
STEWARDSHIP PROGRAM - PARKS FOR PEOPLE GRANT FOR  
HORTT PARK - \$75,000 - City match**

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

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**M-8      12-2353   GRANT   APPLICATION   -   BROWARD   COUNTY   LAND  
STEWARDSHIP PROGRAM - PARKS FOR PEOPLE GRANT FOR  
HARDY PARK - \$75,000 - City match**

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

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**M-9      12-2236   PILOT COST SHARING PROGRAM FOR IN LINE CHECK VALVES  
-REPAYMENT OF \$144,398.52 to Riviera Isles Homeowner's  
Association - tidal flooding**

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

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**M-10     12-2246   CHANGE ORDER 2 - Gonzalez & Sons Equipment, Inc. -  
\$9,540.89 including 7% inspection and administration fees - NW  
Second Avenue Pump Station Improvements - addition of 476 days  
to contract**

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

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**M-11     12-2252   REJECT BIDS AND RE-BID FOR BAL HARBOUR, CORAL RIDGE  
AND VICTORIA PARK DECORATIVE STREET POSTS**

**There is no fiscal impact associated with this action.**

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**M-12     12-2289   ONE-YEAR CONTRACT EXTENSION AND AMENDMENT FOR 2013  
POINT EXCAVATION "POTHOLING" AND UTILITY DESIGNATION  
SERVICES with F.R. Aleman and Associates Inc.**

**There is no fiscal impact associated with this action. Funding for these services will be  
from individual projects when services are contracted through individual task orders  
subject to the availability of funds.**

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**M-13      12-2303    ONE-YEAR EXTENSION AND AMENDMENT TO PROVIDER AGREEMENT WITH HOUSING AUTHORITY FOR HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM**

There is no fiscal impact associated with this action at this time.

<b>CONSENT RESOLUTION</b>
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**CR-1      12-2286    DOWNTOWN DEVELOPMENT AUTHORITY - LEVY OF AD VALOREM TAXES - FISCAL YEAR 2013**

There is no fiscal impact to the City of Fort Lauderdale associated with this action. The Records, Taxes, and Treasury Division of Broward County collects the property tax proceeds and it is wire transferred directly to the Downtown Development Authority.

RESOLUTION NO. 12-196

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, LEVYING AN AD VALOREM TAX FOR FISCAL YEAR 2012/2013 ON BEHALF OF THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO CHAPTER 2005-346, LAWS OF FLORIDA.

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**CR-2      12-2192    BROWARD CENTER FOR PERFORMING ARTS - PERFORMING ARTS CENTER AUTHORITY - TRI-PARTY AGREEMENT - FISCAL YEAR 2013 BUDGET**

Please see funding information attached to these minutes.

RESOLUTION NO. 12-197

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE BUDGET OF THE PERFORMING ARTS CENTER AUTHORITY FOR FISCAL YEAR 2012/2013 AND APPROVING A TRI-PARTY GRANT AGREEMENT RELATED TO FUNDING OF THE PERFORMING ARTS CENTER.

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**CR-3      12-2229    DOCK PERMIT APPLICATION - Joan K. and William Jubb Corbet, Jr. - use, maintenance and repair of existing marginal dock and seawall located on public property immediately adjacent to their address at 715 Cordova Road**

There is no fiscal impact associated with this action.



## RESOLUTION NO. 12-198

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, THE USE, MAINTENANCE AND REPAIR OF AN EXISTING MARGINAL DOCK AND SEAWALL ON PUBLIC PROPERTY BY WILLIAM JUBB CORBET, JR. AND JOAN K. CORBET; SAID DOCK AND SEAWALL LOCATED ON PUBLIC PROPERTY IMMEDIATELY ADJACENT TO PROPERTY LOCATED AT 715 CORDOVA ROAD, THE LEGAL DESCRIPTION OF WHICH IS MORE PARTICULARLY DESCRIBED BELOW; SUCH AUTHORIZATION BEING UNDER CERTAIN TERMS AND CONDITIONS SET FORTH HEREIN; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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- CR-4      12-2214    QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM - recommending Project Snapdragon as a program applicant and providing for local financial support in the amount of \$70,000 contingent upon approval by State of Florida**

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

## RESOLUTION NO. 12-199

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RECOMMENDING THAT "PROJECT SNAPDRAGON" BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS APPLICANT PURSUANT TO SECTION 288.106, FLORIDA STATUTES, PROVIDING THAT FUNDS IN THE AMOUNT OF \$70,000 ARE AVAILABLE AS LOCAL FINANCIAL SUPPORT AS PROVIDED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

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- CR-5      12-2238    AD VALOREM TAX CREDIT PROGRAM - AUTHORIZING PHASE I PRECONSTRUCTION APPLICATION FOR HISTORIC PROPERTY - 416 SW 11 Avenue (Palm Avenue) in Sailboat Bend Historic District**

**If approved there will be no decrease in current City taxes paid on this property. The assessments associated with improvements are exempted for a period of ten (10) years.**

## RESOLUTION NO. 12-200

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF

FORT LAUDERDALE, FLORIDA AUTHORIZING PHASE 1 (PRECONSTRUCTION APPLICATION) OF THE AD VALOREM TAX CREDIT FOR THE HISTORIC PROPERTY LOCATED AT 416 SW 11 AVENUE, FORT LAUDERDALE, FLORIDA, IN THE SAILBOAT BEND HISTORIC DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

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**CR-6      12-2239      AD VALOREM TAX CREDIT PROGRAM - AUTHORIZING PHASE I  
PRECONSTRUCTION APPLICATION FOR HISTORIC PROPERTY -  
1302 SW 4 Court in Sailboat Bend Historic District**

**If approved there will be no decrease in current City taxes paid on this property. The assessments associated with improvements are exempted for a period of ten (10) years.**

RESOLUTION NO. 12-201

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING PHASE 1 (PRECONSTRUCTION APPLICATION) OF THE AD VALOREM TAX CREDIT FOR THE HISTORIC PROPERTY LOCATED AT 1302 SW 4TH COURT, FORT LAUDERDALE, FLORIDA, IN THE SAILBOAT BEND HISTORIC DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

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**CR-7      12-2315      FOURTH AMENDMENT TO LEASE AGREEMENT WITH RLO, INC. -  
PARCEL 18 - EXECUTIVE AIRPORT - extending term to December 31,  
2012 subject to conditions and authorize initiation of legal action  
to recover past due rent and other costs if conditions are not met**

**There is a positive fiscal impact to the city in the amount of \$65,058.05.**

RESOLUTION NO. 12-202

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A FOURTH AMENDMENT TO LEASE AGREEMENT WITH RLO, INC. FOR PARCEL 18 OF THE FORT LAUDERDALE EXECUTIVE AIRPORT, EXTENDING THE LEASE TERM AN ADDITIONAL TWO MONTHS PROVIDING THAT CERTAIN CONDITIONS ARE MET AS PROVIDED HEREIN AND AUTHORIZING INITIATION OF LEGAL ACTION TO RECOVER PAST DUE RENT AMOUNTS AND ALL COSTS ASSOCIATED WITH FUEL TANK REMOVAL AND REMEDIATION IF CONDITIONS ARE NOT MET; AND PROVIDING FOR AN EFFECTIVE DATE.

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**CR-8      12-2362    STREET NAME ADDITION - DR. C.E. GLOVER AVENUE - SECTION OF NW 11 AVENUE BETWEEN SUNRISE BOULEVARD AND SISTRUNK BOULEVARD/NW 6 STREET**

**There is no current fiscal impact associated with this action.**

**RESOLUTION NO. 12-203**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADDING THE NAME "DR. C.E. GLOVER AVENUE" TO THAT SECTION OF NW 11th AVENUE BETWEEN SUNRISE BOULEVARD AND SISTRUNK BOULEVARD/NW 6th STREET.

<b>PURCHASING AGENDA</b>
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**PUR-1      12-2125    ONE-YEAR AGREEMENT EXTENSIONS FOR STRUCTURAL ENGINEERING CONSULTANT SERVICES - DeRose Design Consultants, Inc., Lakdas/Yohalem Engineering, Inc. and Bryntesen and Associates, Inc. and authorizing proper City Officials to execute the extensions**

**There is no fiscal impact associated with this action. Funding for these services will be from individual projects when services are contracted through individual task orders subject to the availability of funds.**

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**PUR-2      12-2156    PURCHASE FIXED ASSET INVENTORY SERVICES in the amount of \$99,800 from Specialty Property Appraisals, LLC and reject all bids received for RFP 125-10873 - fixed asset consulting services/project management**

**There is a fiscal impact to the City in the amount of \$99,800.**

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**PUR-3      12-2170    SECURE FACILITY TO HOST 2012 SOUTH FLORIDA REGIONAL CITIZEN CORPS CONFERENCE - \$30,000 - Marriott Hotel Services, Inc. at their Fort Lauderdale Harbor Beach Marriott Resort and Spa**

**There is a fiscal impact to the City in the amount of \$30,000.**

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**PUR-4 12-2184 ONE-YEAR AGREEMENT EXTENSION FOR MECHANICAL, ELECTRICAL, PLUMBING CONSULTANT SERVICES - DeRose Design Consultants, Inc. and Gartek Engineering Corporation and authorizing proper City Officials to execute the extension**

There is no fiscal impact associated with this action. Funding for these services will be from individual projects when services are contracted through individual task orders subject to the availability of funds.

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**PUR-5 12-2224 PROPRIETARY PURCHASE - HARDWARE AND SOFTWARE MAINTENANCE RENEWALS in the amount of \$309,154 with Cogsdale Corporation (financial accounting management and budget preparation), Sungard Public Sector, Inc. (Community Plus) and Environmental Systems Research Institute, Inc. (GIS)**

There is a fiscal impact to the City in the amount of \$309,154.

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**PUR-6 12-2227 CONTRACT EXTENSIONS FOR BANKING AND CREDIT CARD PROCESSING SERVICES not to exceed nine months through June 30, 2013, with Wells Fargo Bank, N.A. and Elavon, Inc. in the amount of \$142,282.25 and authorize proper City Officials to execute all necessary documents, contingent upon each vendor agreeing to extension**

There is a fiscal impact to the City in the estimated amount of \$142,282.25.

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**PUR-7 12-2251 CONTRACT EXTENSION FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES not to exceed ninety days through January 31, 2013 in the amount of \$952,600.50 with Choice Environmental Services of Broward, Inc.**

There is a fiscal impact to the City in the amount of \$952,600.50

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**PUR-8 12-2259 TWO-YEAR CONTRACT FOR MULTI-SPACE PARKING METERS, SUPPLIES, MAINTENANCE, SUPPORT in the amount of \$477,600 with Global Parking Solutions USA, LLC, and authorize City Manager or designee to approve renewal options contingent upon approval and appropriation of funds**

There is a fiscal impact to the City of up to \$477,600 for FY13. Funding for FY14 is contingent on approval and appropriation of the next year's operating budget.

This Commission Agenda Memorandum (12-2259) was revised. See announcement page 10.

Mayor Seiler announced that this item was revised to reflect the correct sub-object of 3404 for parts and components, and not 3407.

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**Motion** made by Vice Mayor Rodstrom and seconded by Commissioner DuBose that all Consent Agenda items be approved as recommended. Roll call showed: YEAS: Commissioner Roberts, Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

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**OB        12-2391    RESOLUTION - CONCERNING AMENDMENT 4 TO THE FLORIDA CONSTITUTION – TAX SYSTEM**

**There is no fiscal impact associated with this action.**

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-204

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONCERNING AMENDMENT 4 TO THE FLORIDA CONSTITUTION WHICH, IF ADOPTED, WOULD CREATE ADDITIONAL INEQUITIES IN FLORIDA'S TAX SYSTEM BY GRANTING CERTAIN TAX BREAKS TO SOME TAXPAYERS AT THE EXPENSE OF OTHER TAXPAYERS.

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

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**OB        12-2388    EVENT AGREEMENT with Delta Education and Life Development Foundation, Inc. for Souls the Polls**

**There is no fiscal impact associated with this action.**

**Motion** made by Vice Mayor Rodstrom and seconded by Commissioner DuBose to authorize and approve execution of an Event Agreement with Delta Education and Life Development Foundation, Inc. for "Souls the Polls" event to be held on October 28, 2012 and will be preceded by an event at the African American Research Library outside of the City limits. Roll call showed: YEAS: Commissioner Roberts, Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

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**OB        12-2387    EVENT AGREEMENT with Dolphins Cycling Challenge, Inc. for Dolphins Cycling Challenge**

**There is no fiscal impact associated with this action.**

**Motion** made by Vice Mayor Rodstrom and seconded by Commissioner DuBose to authorize and approve execution of an Event Agreement with Dolphins Cycling Challenge, Inc. for Dolphins Cycling Challenge event to be held on November 4, 2012 at Croissant Park. Roll call showed: YEAS: Commissioner Roberts, Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

<b>RESOLUTIONS</b>
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**R-1      12-2310    APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS**  
**All vacancy information is provided under Conference item BD-2**

**There is no fiscal impact associated with this action.**

RESOLUTION NO. 12-

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.

There were no appointments.

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**R-2      12-2316    EXPRESSING SUPPORT FOR ADOPTION OF A PLAN FOR COOPERATIVE COUNTYWIDE CONSOLIDATION OF E-911 COMMUNICATIONS AND DISPATCH SERVICES WHOLLY FUNDED THROUGH BROWARD COUNTY AD VALOREM TAXES**

**There is no fiscal impact associated with this action at this time.**

Vice Mayor Rodstrom wanted the County to fund this by any means it decides upon. Commissioner DuBose pointed out that the resolution was approved by the Broward League of Cities with one no vote by Coral Springs and a funding source of ad valorem taxes was identified. Commissioner Roberts noted the bottom line is ad valorem taxes. Mayor Seiler pointed out that Broward County's website indicates that they provide ad valorem taxes for dispatch; therefore the resolution is merely suggesting the County do so in that way. Vice Mayor Rodstrom explained her concern is that the County fund it and their methodology is not a concern. Commissioner DuBose added that the Broward County Consolidated Communications Implementation Advisory Board vetted this resolution, including the funding sources and the County took part in those discussions. Also, there is a county commissioner that sits on the League of Cities' board. He reiterated that this resolution was passed by that board. Commissioner Roberts noted that the County will ultimately decide on the funding source. There are other options, but ad valorem was the preference.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-194

A RESOLUTION OF THE CITY COMMISSION OF THE CITY

OF FORT LAUDERDALE, FLORIDA, EXPRESSING THE CITY'S SUPPORT FOR THE ADOPTION OF A PLAN FOR COOPERATIVE COUNTYWIDE CONSOLIDATION OF E-911 COMMUNICATIONS AND DISPATCH WHOLLY FUNDED THROUGH COUNTY AD VALOREM TAXES.

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

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**R-3      12-2358 SUNNYLAND HOMES - SETTLEMENT AGREEMENT WITH HOUSING AUTHORITY and authorizing proper City Officials to execute all necessary documents**

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

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-195

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PROPOSED SETTLEMENT OF CERTAIN LITIGATION WITH THE HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE SUCH LITIGATION HAS BEEN ABATED DURING THE FLORIDA GOVERNMENTAL CONFLICT RESOLUTION PROCEDURES INITIATED BY THE HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE; AUTHORIZING AND APPROVING THE REAL ESTATE TRANSACTION CONTEMPLATED THEREBY; DIRECTING THE TAKING OF ALL APPROPRIATE ACTION AND THE EXECUTION OF ALL APPROPRIATE DOCUMENTS AS MAY BE NECESSARY TO PERFORM THE SETTLEMENT AGREEMENT; CONDITIONALLY DETERMINING THAT THIS RESOLUTION CONSTITUTES THE RESOLUTION OF THE CONFLICT PROCEDURES HEREIN; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

<p><b>PUBLIC HEARINGS</b></p>
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**PH-1      12-2235 QUASI-JUDICIAL - FIRST READING OF ORDINANCE - VACATION OF RIGHT-OF-WAY - NE 5 Terrace, south of NE 5 Street and west of Federal Highway - Case 7-P-12**

**Applicant: The Pearl at Flagler Village****There is no fiscal impact associated with this action.**

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 Vice Mayor Rodstrom and seconded by Commissioner Roberts to close the public hearing. Roll call showed: YEAS: Commissioner Roberts, Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

Commissioner Rogers introduced the following ordinance on FIRST reading:

**ORDINANCE NO. C-12-41**

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF NORTHEAST 5 TERRACE LYING BETWEEN BLOCK 32, "RE-SUBDIVISION OF BLOCKS 2-31-32 OF NORTH LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 25 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BLOCK 33, "AMENDED PLAT OF NORTH LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 182 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF NORTH FEDERAL HIGHWAY (US1;SR5), SOUTH OF NORTHEAST 5 STREET, EAST OF NORTHEAST 5 AVENUE AND NORTH OF NORTHEAST 4 STREET, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

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



**ORDINANCES**

- O-1      12-2307    SECOND READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATIONS, SECTIONS 47-20, PARKING AND LOADING REQUIREMENTS - implementing recommendations of Barrier Island Parking Study - Case 9-T-12**

**There is no fiscal impact associated with this action.**

Commissioner Roberts introduced the following ordinance on SECOND reading:

**ORDINANCE NO. C-12-39**

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, REVISING THE PARKING AND LOADING REQUIREMENTS FOR THE CENTRAL BEACH DISTRICTS AND THE NORTH BEACH AREA BY AMENDING SECTION 47-20.2, PARKING AND LOADING ZONE REQUIREMENTS, TO ADD PARKING REQUIREMENTS FOR THE CENTRAL BEACH DISTRICTS AND NORTH BEACH AREA; AMENDING TABLE 3 OF SECTION 47-20.2, PARKING AND LOADING ZONE REQUIREMENTS, TO REVISE PARKING CALCULATIONS FOR SPECIFIC USES AND ADD SPECIFIC PARKING CALCULATIONS FOR ZONING DISTRICTS WITHIN THE CENTRAL BEACH AREA; CREATING TABLE 4 OF SECTION 47-20.2, PARKING AND LOADING ZONE REQUIREMENTS, TO ADD A TABLE OF PARKING CALCULATIONS FOR SPECIFIC USES WITHIN THE NORTH BEACH AREA; AMENDING SECTION 47-20.3, REDUCTIONS AND EXEMPTIONS, TO CHANGE THE CRITERIA FOR PARKING REDUCTIONS PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

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

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**O-2      12-2296    SECOND READING OF ORDINANCE AMENDING CODE OF ORDINANCES - SECTIONS 26-91(C) AND 26-161 - Increase surcharge for School Crossing Guard Program and increase maximum parking fee at Fort Lauderdale Beach Park Lot for Special Events**

**The \$2.00 increase would generate an additional \$160,000.00.**

ORDINANCE NO. C-12-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE RELATING TO PARKING; AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED "TRAFFIC" BY AMENDING SECTION 26-91 "SCHEDULE OF FINES" TO PROVIDE FOR AN INCREASE IN PENALTIES FOR CERTAIN PARKING VIOLATIONS, AND TO INCREASE THE SURCHARGE IMPOSED TO FUND THE SCHOOL CROSSING GUARD PROGRAM; AMENDING SECTION 26-161 "RATES AND HOURS FOR ON AND OFF-STREET PARKING" TO PROVIDE FOR AN INCREASE IN MAXIMUM PARKING FEE AT A GIVEN PARKING LOT WHEN SPECIAL EVENTS ARE SCHEDULED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner DuBose was recently made aware that there are about twenty children who are crossing Sistrunk unattended in order to reach Walker Elementary School. Crossing guards are needed. It must be determined whether rectifying this issue will have any fiscal impact on this item. Susanne Torriente, Assistant City Manager, suggested a two-week deferral. Police Chief Frank Adderley did not have an answer at this time. Mayor Seiler noted that the City will be losing revenue until this item is passed, so he did not want the deferral to extend beyond two weeks. Brian McKelligett, Parking Services Manager, noted this item is about the surcharge; the crossing guard contract was approved on September 5. It is a separate issue. Commissioner DuBose reasoned that the proposed ordinance relates to the contract because it is a means to recapture those expenses. It may be necessary to increase the surcharge rate in order to resolve this life safety issue. Chief Adderley and Mr. McKelligett confirmed that staff can address this matter and bring it back on November 6.

**Motion** made by Commissioner DuBose and seconded by Vice Mayor Rodstrom to defer the item to November 6, 2012. Roll call showed: YEAS: Commissioner Roberts, Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None.

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**OB                                    MOTION FOR RECONSIDERATION OF ONE-YEAR CONTRACT FOR THE MAINTENANCE OF CITY OWNED STORMWATER STRUCTURES FOR UTILITY OPERATIONS in the amount of \$69,650 from A & A Drainage & Vac Services, Inc. and authorize the City Manager or his designee to approve all extension options (Agenda Item PUR-9, Memorandum 12-2223, October 2, 2012)**

**There is a fiscal impact to the City in the estimated annual amount of \$69,650.**

In response to Vice Mayor Rodstrom, the City Attorney outlined Commission policy on reconsideration of items. Any item considered at the previous regular meeting can be reconsidered, based on new information or misinformation, at the next regular meeting by a motion made from a commissioner who was on the prevailing side. The motion requires a second and a vote. The item is then listed on the following agenda, based upon the information provided.

**Motion** made by Vice Mayor Rodstrom and seconded by Commissioner Rogers to reconsider the one-year contract for maintenance of City-owned stormwater structures for utility operations (Commission Agenda Memorandum 12-2223), based upon new information received via email since the last meeting of October 2, 2012.

Commissioner Roberts pointed out that Vice Mayor Rodstrom's first motion to reconsider was made immediately after the vote was taken on October 2. Therefore he did not think it possible for new information to have actually been provided. He questioned if her motion to reconsider is legitimate. Vice Mayor Rodstrom explained that she has new information through some documentation she had which was misplaced while taking the vote. She has requested that the new information be provided to the Commission for this evening. In response to her question, the City Attorney advised that a motion to reconsider would be debated on the issue of whether there was new information presented or misinformation at the previous meeting. In response to Commissioner Rogers, he explained that it is not a requirement to be on the prevailing side in order to second the motion. Mayor Seiler clarified that, if the reconsideration motion passes, this item would be heard at the next meeting on November 6, 2012.

Mayor Seiler opened the floor for public comment.

Stephanie Toothaker, representing F.A. Johnson, Inc. (F.A. Johnson), requested the Commission reconsider this item. She recalled previously presenting a sizeable number of facts as to whether A & A Drainage & Vac Services, Inc. (A & A) met the minimum requirements of the bid. The bid requires that a bidder not have any notices of violation within the previous three years. Since the last meeting of October 2, Broward County has opened an official file on A & A and the County investigator informed her that the owner, James Scrima, was to be served with violations last week. However, Mr. Scrima has twice requested rescheduling of meetings with the County. There are 26 violations which have been combined into three notices of violation for advertising without a license, performing work without a license and improper business tax license. She asked the Commission to consider these violations which will make A & A non-compliant with the contract.

In response to Vice Mayor Rodstrom, Ms. Toothaker explained that she sent a letter, dated October 15, 2012, to the Commission yesterday, and an email chain today from the County investigator, Richard Al-Imam. Copies of the letter and email are attached to these minutes. She indicated that Mr. Al-Imam told her that he would have Mr. Scrima arrested if he fails to

obtain the notices of violation from his office by Friday morning, October 19.

James Scrima, owner of A & A Drainage & Vac Services, Inc., contended that false statements are being made. A bidder must meet the City's requirements and not have any violations at the time of bid. In this instance, a competitor has filed complaints against another contractor after the bid was opened in an attempt to disqualify, so the third-ranked proposer could be awarded. He found it unfair that his business only had one attempt at this contract, but F.A. Johnson has had two because their negotiated price of \$125,000 was also considered. Being that A & A was awarded the contract on October 2, F.A. Johnson's negotiated price of \$125,000 should not be considered. It is a comparison of F.A. Johnson's bid of \$249,000 versus A & A's bid of \$69,000. He disputed Ms. Toothaker's assertion that he was threatened to be arrested and elaborated upon his reasons for rescheduling with the County; it will be held at 2 p.m. on October 19. He commented on the premise of being innocent until proven guilty, and noted that, if given a notice of violation, he plans to dispute it in December. There are currently complaints against F.A. Johnson filed with the State. The bottom line is that F.A. Johnson's bid protest was denied by the City. He questioned the fairness to other competitors that F.A. Johnson has subsequently generated and brought forward these issues. The City should recognize that this item was voted upon on October 2. There was no new information provided to Vice Mayor Rodstrom when she originally moved to reconsider this item. Mr. Scrima noted that he has already provided services for the City. He was awarded the contract and is entitled to due process. He affirmed that A & A will be able to meet any licensing requirements brought forward. A & A now holds State licensing as a general contractor and plumber effective October 15, 2012. A & A has abided by the rules. He did not feel the measures being taken now are proper or in accordance with the timeline set forth in the contract (bid). In response to Vice Mayor Rodstrom, he explained that he only brought forward his licensing information tonight in order to respond to Commissioner Roberts' previous inquiry. Vice Mayor Rodstrom thought delaying this item also benefitted A & A as it allowed time to obtain licensing. Mr. Scrima disagreed as A & A has met the City's licensing requirements since the bid was opened. All in all, Vice Mayor Rodstrom thought the City is being provided better information because of the two-week delay.

Commissioner Roberts recalled that staff previously determined that Mr. Scrima met the City's requirements and that a specific license was not needed. He referred to the protest and the several protests so to speak within the protest. Kirk Buffington, Deputy Director of Finance, highlighted the chronology on this item. There was a protest period and a deferral period. A deferral was granted to F.A. Johnson when this was brought forward on September 18, 2012. Additional information was exchanged between September 18 and October 2. It is staff's understanding that the guideline has not changed from the time the recommendation to award was made to now, that a license is not required to perform cleaning of storm drains as reflected in the letter, dated August 8, 2012, from the Vice Chair of Broward County's Central Examining Board of Engineered Construction Trades. A copy of this letter is attached to these minutes. As to whether there are open investigations and notices of violation are filed at some point, the City would address when it occurs. At the time the recommendation was made, A & A complied with the bid requirements as to licensing.

In response to Commissioner Rogers, Mr. Scrima explained that the notices of violation are in the process of being issued to A & A. It has to do with a misunderstanding as to how repairs can be done. A & A utilized a (Contractor) of Record (COR) who holds a general contractor license as well as an underground contractor license. It was necessary for him to work under the COR for a certain number of years in order to sit for the State board examination. The adjusting of top collars was under the direct supervision of the (COR) and a licensed underground contractor. However, the violation stems from the payment for those services

going directly to A & A, and not the COR and underground contractor. A & A should have been on their payroll for that work. This happened over the last two years. As for the violation related to advertising, he explained that the word "maintenance" appears on A & A website and he understood the County is interpreting that as advertising that A & A is a contractor. However the term is used to refer to cleaning which is the case in the City's documentation. Another violation is related to A & A being listed as a cleaning company on the tax license rather than a contractor. After working through this with the County, he now has two licenses and a refund from the County of \$57. This matter will be presented to county court in December. In further response to Commissioner Rogers, Mr. Scrima confirmed that these matters existed earlier than the last two weeks. He went on to comment that F. A. Johnson also has a pre-existing violation.

The City Attorney responded to Commissioner Rogers' question, noting in terms of meeting the City's eligibility requirements, the critical act is at the time of the award and until there is an award, everything in the bid requirements carries forward. This bid has been awarded. He thought a violation is interpreted as being when charges are brought.

There was no one else wishing to speak. Mayor Seiler announced if the reconsideration vote passes, this item will be heard on November 6. Otherwise, the award made stands.

Roll call showed: YEAS: Vice Mayor Rodstrom, Commissioner Rogers, and Mayor Seiler.  
NAYS: Commissioner Roberts and Commissioner DuBose.

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Note: The City Commission adjourned the regular meeting at 7:25 p.m. and returned to the conference meeting agenda, City Manager Reports, at 7:26 p.m.

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John P. "Jack" Seiler  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk