

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
NOVEMBER 6, 2012

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12-2393	PRES-3		PROCLAMATION DESIGNATING NOVEMBER 14, 2012 AS GEOGRAPHIC INFORMATION SYSTEM "GIS" DAY 2012 IN THE CITY OF FORT LAUDERDALE	2
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12-2374	M-2		GRANT ACCEPTANCE - FORT LAUDERDALE VOLUNTEER SERVICES NETWORK - \$5,000 - Community Foundation of Broward County - City match required	3, 13
12-2382	M-3		AMENDMENT 3 TO AGREEMENT - PUBLIC SAFETY 800 MHz RADIO COMMUNICATIONS - CHANGES TO RECONFIGURATION PROJECT - Nextel South Corporation - accepting \$10,100 reimbursement to City for additional cost of change	3
12-2283	M-4		NATURE PROGRAMMING SERVICES AT BILL KEITH PRESERVE - Agreement with Youth Environmental Alliance, Inc. d/b/a YEA for December 1, 2012 through November 30, 2013 and authorizing proper City Officials to execute on behalf of City	4
12-2323	M-5		AGREEMENT FOR 2013 RIVERWALK EVENTS - Riverwalk Fort Lauderdale, Inc.	4
12-2376	M-6		EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: New Hope Fest, Merrill Lynch Bull Run 5K, Light Up Downtown, Christmas on Las Olas, Memorial Quilt Display World Aids Day, CCA 5K, Cypress Creek Round Up, Orchid, Garden & Gourmet Food Festival at Bonnet House, LifeNet4Families "We Can do it" Gala, Skate Las Olas and Vibe's Second Year Anniversary.	4
12-2221	M-7		GRANT ACCEPTANCE - 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL SOLICITATION GRANT PROGRAM - \$93,404 and authorize City Manager to execute on behalf of City	4, 13
12-2279	M-8		REJECT ALL BIDS FOR NORTHWEST SECOND AVENUE STORAGE TANK REHABILITATION PROJECT	4
12-2281	M-9	12-155	DEDICATION OF EASEMENT RIGHTS AS PUBLIC RIGHT-OF-WAY, SIDEWALK AND UTILITY EASEMENT AREA - to be identified as NW 14 Terrace - portion of Provident Park - relating to Sistrunk Gardens Case 54-R-12	4, 13, 14

12-2328	M-10		CHANGE ORDER 3 (FINAL) - MILLS POND PARK IMPROVEMENTS - FIELD LIGHTING CLIPS - Walker Design & Construction Co. - \$3,562.42 plus 17% engineering administration fees	5
12-2341	M-11		RECIPROCAL ENTRY AND INSPECTION AGREEMENT FOR FIRE STATION 54 WITH P.D.K.N., P-7, LLC - located at 3201 NE 32 Street - Galt Shops area	5
12-2368	M-12		CHANGE ORDER 2 - HORTT PARK COMMUNITY CENTER - ADDITIONAL SERVICES - Green Construction Technologies Inc. - \$19,675.89 plus 13% engineering administration fees and adding 85 work days to contract	5
12-2380	M-13		GRANT ACCEPTANCE - REMOVAL OF INVASIVE EXOTIC PLANTS FROM PORTION OF RIVER OAKS PRESERVE - \$15,000 - Broward County Land Stewardship Program - Partners in Preservation Grant from Broward County Environmental Protection and Growth Management Department and authorize the proper City Officials to execute all necessary documents to receive the funds	5, 13
12-2460	M-14		TASK ORDER 6 - FIRE STATION 54 MECHANICAL AND ELECTRICAL ENGINEERING SERVICES - \$41,993 - located at 3201 NE 32 Street - Galt Shops area	5
12-2464	M-15		TASK ORDER 5 - FIRE STATION 54 STRUCTURAL ENGINEERING SERVICES - DeRose Design Consultants, Inc. - \$41,492 - located at 3201 NE 32 Street - Galt Shops area	5
12-2304	CR-1	12-214	CONSOLIDATED BUDGET AMENDMENT TO FISCAL YEAR 2013 BUDGET - APPROPRIATION	6
12-2230	CR-2	12-215	BAHIA MAR DREDGING - AMENDMENT TO INTERLOCAL AGREEMENT FOR GRANT - FLORIDA INLAND NAVIGATION DISTRICT - extending Phase I design and permitting deadline to September 30, 2013	6
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12-2324	CR-4	12-217	QUASI-JUDICIAL - DOCK WAIVER APPLICATION - 810 NE 20 Avenue - installation of three triple-pile clusters adjacent to existing four slip docking facility extending a maximum of 124.4' from property line into Middle River Applicant: Raymond Parker, Registered Agent, 810 LLC, Dixie Southland Corporation Anyone wishing to speak must be sworn in. Commission will announce site visits, communications or expert opinions received and make them part of the record.	7,11,13,14
12-2325	CR-5	12-218	DOCK PERMIT APPLICATION - 701 Cordova Road - use, maintenance and repair of existing marginal dock and seawall Applicant: Glenn and Kristie Caddy	7
12-2339	CR-6	12-219	QUASI-JUDICIAL - DOCK WAIVER APPLICATION - 3355 Port Royale Boulevard.- construction of a wood marginal dock and twenty-one finger piers and associated piles extending a maximum of 55' from property line into privately owned submerged land within yacht basin. Applicant: ERP Operating Limited Partnership & EQR Port Royale Vistas, Inc. Anyone wishing to speak must be sworn in. Commission will announce site visits, communications or expert opinions received and make them part of the record.	8, 12, 16
12-2377	CR-7	12-	GRANT ACCEPTANCE -15th STREET BOAT LAUNCH AND MARINE COMPLEX REDEVELOPMENT - \$876,906 from Florida Inland Navigation District - local match required - authorizing proper City Officials to execute all necessary documents to receive funds and amending 2013 operating budget by appropriating the funds	9, 12
12-2284	PUR-1		CONSULTANTS' COMPETITIVE NEGOTIATION ACT SELECTION COMMITTEE'S RECOMMENDATION - RANKING FOR LANDSCAPING ARCHITECTURAL CONSULTANT SERVICES AND COMMENCEMENT OF NEGOTIATIONS - top three ranked firms: 1) Keith and Schnars, P.A., 2) Calvin, Giordano & Associates, Inc. and 3) EDSA, Inc.	9

12-2295	PUR-2		PURCHASE OF POLICE RECRUIT TRAINING AND MANDATORY RETRAINING CLASSES in the not to exceed amount of \$106,960 from the District Board of Trustees of Broward College, Florida	9
12-2299	PUR-3		CONTRACTS FOR CIVIL ENGINEERING CONSULTANT SERVICES - 1) The Coradino Group, Inc., 2) Calvin, Giordano & Associates, Inc., 3) Miller, Legg & Associates, Inc., 4) Craven, Thompson & Associates, Inc., 5) Tetra Tech, Inc., 6) Atkins North America, Inc. and 7) Keith and Schnars, P.A. and authorize proper City Officials to execute on behalf of City	10
12-2329	PUR-4		TWO-YEAR EXTENSION AND FIRST AMENDMENT FOR CIVIL ENGINEERING UTILITY DESIGN, CONSTRUCTION MANAGEMENT, APPRAISAL AND COMMUNITY OUTREACH CONSULTANT SERVICES FOR UNDERGROUNDING ABOVE GROUND UTILITY LINES with Keith and Schnars, P.A.	10
12-2335	PUR-5		PURCHASE IBM INFORMIX SUPPORT RENEWAL AND LICENSES in the amount of \$53,439.68 from Dataskill, Inc.	10
12-2336	PUR-6		ONE-YEAR CONTRACT FOR PURCHASE OF COLD WATER METERS in the estimated amount of \$270,030 from Elster Amco Water, LLC on an as needed basis depending on funding availability for utility operations and authorize City Manager or designee to approve all renewal options	10
12-2347	PUR-7		INCREASE EXPENDITURE FOR NON-CONTRACTED SERVICE AND REPAIRS FOR CITY VEHICLES AND FLEET RELATED EQUIPMENT in the amount of \$700,000 from First Vehicle Services, Inc.	10
12-2357	PUR-8		CONTRACT FOR SEWER BASIN A-21 PROGRESSO AND ANNUAL SEWER REPAIR in the amount of \$1,763,401.75 from Lanzo Lining Services, Inc. - Florida and authorize City Manager to execute on behalf of City	10, 12
12-2372	PUR-9		CONTRACT AWARD FOR MARINE FACILITIES IMPROVEMENT SERVICES in the amount of \$685,300 from Engineer Control Systems Corporation and authorize City Manager to execute on behalf of City	11, 12
12-2375	PUR-10		PROPRIETARY PURCHASE - SOFTWARE UPGRADE TO THE INTELLIGENCE LEAD POLICING UNIT in the amount of \$97,046 from Intergraph Corporation.	11
12-2378	PUR-11		PURCHASE CITY-WIDE HIGH SPEED WIRELESS DATA SERVICES in the amount of \$379,568 from Verizon Wireless Personal Communications LP	11, 17
12-2396	PUR-12		ONE-YEAR CONTRACT FOR MAINTENANCE OF CITY-OWNED STORMWATER STRUCTURES in the amount of \$69,650 from A & A Drainage & Vac Services, Inc. and authorize City Manager or his designee to approve all renewal options	11, 17
12-2397	PUR-13		SUB-CONTRACTOR FOR CERTIFIED ARBORIST SERVICES - EXOTIC REMOVAL AND HABITAT RESTORATION - PARCELS, B-C-D, NORTH OF EXECUTIVE AIRPORT to Budget Tree Co., Inc.	11
12-2392	CIT-1		ROBERT GRANATELLI - Marina Lofts Development proposal	22
12-2405	CIT-2		ART SEITZ - Barrier Island	22
12-2406	CIT-3		PHIL GIRRBACH - Police and Firefighters Pension Retirement System Board of Trustees decision relating to disability retirement	22
12-2416	CIT-4		JOHN J. ZULLO - Crime	23
12-2468	CIT-5		ROBERT WALSH - Alzheimer's Awareness - November is National Alzheimer Month	23
12-2291	PH-1	12-220	RESOLUTION - BROWNFIELD AREA DESIGNATION AND JOB ACCELERATOR ZONE - making certain findings, designating real estate parcels to be developed for waterfront dining and entertainment for rehabilitation and redevelopment - Bokamper's Bar and Grill - property owned by P.D.K.N. Holdings, LLC and City	23
12-2384	R-1	12-	ESTABLISHING UNDERGROUND UTILITY PLANNING SERVICE AREA - Special Assessment Program for undergrounding of overhead utility lines	12, 24

12-2292	R-2	12-205	BROWNFIELD REDEVELOPMENT BONUS REFUND - recommending approval of Bokamper's Bar and Grill as an "eligible business" under Brownfield Redevelopment Bonus Refund Program and specifying that no local financial support is necessary, subject to designation of the property as a Brownfield area	25
12-2355	R-3	12-206	QUASI-JUDICIAL - VACATION OF UTILITY EASEMENT - Case 8-M-12 Applicant: Paseo Del Mar Location: NE 17 Avenue 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.	25
12-2356	R-4	12-207	QUASI-JUDICIAL - VACATION OF UTILITY EASEMENT - BROWARD COUNTY COURTHOUSE PARKING GARAGE Applicant: Broward County Board of County Commissioners Location: 644 South Andrews Avenue Case 14-M-12	26
12-2381	R-5	12-208	QUASI-JUDICIAL - VACATION OF UTILITY EASEMENT Applicant: The Paseo Del Mar I, LP Location: NE 16 Terrace Case 9-M-12 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.	27
12-2401	R-6	12-209	PLANNED UNIT DEVELOPMENT ZONING DISTRICT MORATORIUM EXTENSION - filing or acceptance of an application for rezoning of any property in the City to a Planned Unit Development District for an additional 90 days from November 13, 2012 to February 11, 2013	27
12-2402	R-7	12-210	AUTHORIZING CODE ENFORCEMENT LIEN AMNESTY PROGRAM	28
12-2432	R-8	12-211	MIDDLE RIVER-SOUTH MIDDLE RIVER-SUNRISE BOULEVARD COMMUNITY REDEVELOPMENT AREA - SUPPORT STREETScape IMPROVEMENT INITIATIVE - Requesting Broward County Board of County Commissioners review funding request from Fort Lauderdale Community Redevelopment Agency to allocate funds from its Redevelopment Bank	28
12-2407	R-9	12-212	SETTING PUBLIC HEARING FOR NOVEMBER 20, 2012, 6 P.M. - ESTABLISHING MINIMUM ANNUAL LEASE RATES AND ADOPTING A BROKERAGE COMMISSION POLICY FOR PROPERTY AVAILABLE FOR LEASE AT EXECUTIVE AIRPORT	29
12-2430	R-10	12-213	APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS All vacancy information is provided under Conference item BD-2	29
12-2467	O-1	C-12-42	FIRST READING OF ORDINANCE EXPANDING MEMBERSHIP OF THE CITIZENS' COMMITTEE OF RECOGNITION	30
12-2369	O-2	C-12-43	FIRST READING OF ORDINANCE AMENDING PAY PLAN BY ADDING SPECIAL PAY PRACTICES - providing maximum 6.13% salary differential for non-classified employees enrolled in City's 401(a) Defined Contribution Plan - hired before August 1, 2012 and in City's employ on effective date of this ordinance	31
12-2395	O-3	C-12-44	FIRST READING OF ORDINANCE - 2013 DISCOVER ORANGE BOWL AND DISCOVER BOWL CHAMPIONSHIP SERIES - designating public purpose special event and limited temporary exemption from sign requirements - December 1, 2012 through January 20, 2013	31
12-2412	O-4	C-12-41	QUASI-JUDICIAL - SECOND 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.	32
12-2394	O-5	C-12-40	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	33
	OB		WALK-ON PROCLAMATION - LU DEANER'S 90 TH BIRTHDAY	3

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE
November 6, 2012**

Meeting was called to order at 5:59 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1st 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: None.

Also Present:	City Manager	Lee R. Feldman
	City Auditor	John Herbst
	City Clerk	Jonda K. Joseph
	City Attorney	Harry A. Stewart
	Sergeant At Arms	Sergeant Jaime Costas

Invocation was offered by Pastor Dan Czaplewski, Shepherd of the Coast Lutheran Church, followed by the recitation of the pledge led by Chef Allen Susser.

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 Vice Mayor Rodstrom and seconded by Commissioner Rogers to approve the minutes of the September 5, 2012 Conference Meeting and September 18, 2012 Regular Meeting. YEAS: Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None

**PRES-1 12-2487 PROCLAMATION DESIGNATING NOVEMBER, 2012 AS
ALZHEIMER'S AWARENESS MONTH IN THE CITY OF FORT
LAUDERDALE**

Commissioner Rogers presented a proclamation designating November, 2012, as Alzheimer's Awareness Month in the City to Barbara Grasch, Director of Program Services, Alzheimer's Association Southeast Florida Chapter. Ms. Grasch thanked the Commission. She predicted that Alzheimer's is going to be the number one public health issue because, in 2050, someone will be diagnosed with it every 33 seconds. She referred the public to her organization's helpline and website.

PRES-2 12-2488 PROCLAMATION DESIGNATING NOVEMBER 6, 2012 AS JO ANN SMITH APPRECIATION DAY IN THE CITY OF FORT LAUDERDALE FOR HER SERVICES TO THE FORT LAUDERDALE COMMUNITY

Vice Mayor Rodstrom presented a proclamation designating November 6, 2012, as Jo Ann Smith Appreciation Day in the City to Ms. Smith. Ms. Smith thanked the Commission and staff.

PRES-3 12-2393 PROCLAMATION DESIGNATING NOVEMBER 14, 2012 AS GEOGRAPHIC INFORMATION SYSTEM "GIS" DAY 2012 IN THE CITY OF FORT LAUDERDALE

Commissioner Roberts presented a proclamation designating November 14, 2012, as Geographic Information System "GIS" Day in the City to Mike Maier, Information Technology Services Director, and Ian Wint, GIS Manager. Mr. Maier thanked the Commission and recognized staff's efforts to produce this event. Mr. Wint thanked the Commission. A goal of GIS Day is to obtain input from staff and neighbors. He announced the upcoming GIS Day event and elaborated upon the itinerary.

PRES-4 12-2489 StepUP PROGRAM - PRESENTATION OF SCHOLARSHIP AWARDS TO StepUP APPRENTICES - FORT LAUDERDALE HOUSING AUTHORITY

Commissioner DuBose congratulated six StepUp apprentices on their accomplishment in being awarded membership scholarships from the U.S. Green Building Council (USGBC) Local Chapter. Four of the apprentices also received scholarships to attend the Greenbuild International Conference and Expo in San Francisco. He thanked the USGBC Local Chapter and All American Windows and Doors for sponsoring the scholarships. Tam English, Executive Director, Fort Lauderdale Housing Authority, presented the scholarships to the apprentices. Sandra Lee, Vice President, South Florida Chapter of USGBC, was pleased to work with the StepUp Program.

PRES-5 12-2367 PROCLAMATION DECLARING NOVEMBER 8-11, 2012 AS FLAVORS OF FORT LAUDERDALE DAYS

Vice Mayor Rodstrom presented a proclamation declaring November 8-11, 2012, as Flavors of Fort Lauderdale Days in the City to Chef Allen Susser. Mr. Susser thanked the Commission. He noted that the focus of Flavors of Fort Lauderdale is sustainable seafood. Also, the event will be bringing support to the Feeding South Florida food bank.

PRES-6 12-2400 COMMUNITY APPEARANCE BOARD WOW AWARDS FOR DISTRICTS I AND IV

Commissioner Roberts asked for a deferral to November 20, 2012, as the District I award recipients were not present.

Commissioner Rogers recognized Lucy and Brandon Samuels who reside in Lauderdale Harbors as the recipients of the WOW Award for District IV. Mr. Samuels thanked the Commission.

PROCLAMATION RECOGNIZING LU DEANER'S 90TH BIRTHDAY**OB**

Commissioner Rogers presented a City of Fort Lauderdale signature sailboat to Lu Deaner, former Chair of the Education Advisory Board and former President of the Dolphin Isles Homeowner's Association, in recognition of her 90th birthday, and for her efforts in making the world a better place. Ms. Deaner thanked the Commission.

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.

M-1 12-2151 GRANT APPLICATION - FIRE PREVENTION AND SAFETY GRANT PROGRAM FOR SMART FIRE SAFETY AND EMERGENCY TRAINING TRAILER - \$120,420 with 20% City match - U.S. Department of Homeland Security - FEMA

Please see funding information attached to these minutes.

M-2 12-2374 GRANT ACCEPTANCE - FORT LAUDERDALE VOLUNTEER SERVICES NETWORK - \$5,000 - Community Foundation of Broward County - City match required

Please see funding information attached to these minutes.

This Commission Agenda Memorandum was revised. See announcement on page 13.

M-3 12-2382 AMENDMENT 3 TO AGREEMENT - PUBLIC SAFETY 800 MHz RADIO COMMUNICATIONS - CHANGES TO RECONFIGURATION PROJECT - Nextel South Corporation - accepting \$10,100 reimbursement to City for additional cost of change

Please see funding information attached to these minutes.

- M-4 12-2283 NATURE PROGRAMMING SERVICES AT BILL KEITH PRESERVE - Agreement with Youth Environmental Alliance, Inc. d/b/a YEA for December 1, 2012 through November 30, 2013 and authorizing proper City Officials to execute on behalf of City**

There is no fiscal impact associated with this action.

- M-5 12-2323 AGREEMENT FOR 2013 RIVERWALK EVENTS - Riverwalk Fort Lauderdale, Inc.**

Please see funding information attached to these minutes.

- M-6 12-2376 EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: New Hope Fest, Merrill Lynch Bull Run 5K, Light Up Downtown, Christmas on Las Olas, Memorial Quilt Display World Aids Day, CCA 5K, Cypress Creek Round Up, Orchid, Garden & Gourmet Food Festival at Bonnet House, LifeNet4Families "We Can do it" Gala, Skate Las Olas and Vibe's Second Year Anniversary.**

There is no fiscal impact associated with this action.

- M-7 12-2221 GRANT ACCEPTANCE - 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL SOLICITATION GRANT PROGRAM - \$93,404 and authorize City Manager to execute on behalf of City**

There is no fiscal impact associated with this action as the grant does not require a cash match.

This Commission Agenda Memorandum was revised. See announcement on page13.

- M-8 12-2279 REJECT ALL BIDS FOR NORTHWEST SECOND AVENUE STORAGE TANK REHABILITATION PROJECT**

There is no fiscal impact to the City for rejecting all the bids.

- M-9 12-2281 DEDICATION OF EASEMENT RIGHTS AS PUBLIC RIGHT-OF-WAY, SIDEWALK AND UTILITY EASEMENT AREA - to be identified as NW 14 Terrace - portion of Provident Park - relating to Sistrunk Gardens Case 54-R-12**

Please see funding information attached to these minutes.

This Commission Agenda Item was revised. See announcement on page 13.

- M-10 12-2328 CHANGE ORDER 3 (FINAL) - MILLS POND PARK IMPROVEMENTS -
FIELD LIGHTING CLIPS - Walker Design & Construction Co. -
\$3,562.42 plus 17% engineering administration fees**

Please see funding information attached to these minutes.

- M-11 12-2341 RECIPROCAL ENTRY AND INSPECTION AGREEMENT FOR FIRE
STATION 54 WITH P.D.K.N., P-7, LLC - located at 3201 NE 32 Street -
Galt Shops area**

Please see funding information attached to these minutes.

- M-12 12-2368 CHANGE ORDER 2 - HORTT PARK COMMUNITY CENTER -
ADDITIONAL SERVICES - Green Construction Technologies Inc. -
\$19,675.89 plus 13% engineering administration fees and adding 85
work days to contract**

There is no fiscal impact associated with this action.

- M-13 12-2380 GRANT ACCEPTANCE - REMOVAL OF INVASIVE EXOTIC
PLANTS FROM PORTION OF RIVER OAKS PRESERVE - \$15,000 -
Broward County Land Stewardship Program - Partners in
Preservation Grant from Broward County Environmental Protection
and Growth Management Department and authorize the proper City
Officials to execute all necessary documents to receive the funds**

Please see funding information attached to these minutes.

This Commission Agenda Memorandum was revised. See announcement on page 13.

- M-14 12-2460 TASK ORDER 6 - FIRE STATION 54 MECHANICAL AND ELECTRICAL
ENGINEERING SERVICES - \$41,993 - located at 3201 NE 32 Street -
Galt Shops area**

Please see funding information attached to these minutes.

- M-15 12-2464 TASK ORDER 5 - FIRE STATION 54 STRUCTURAL
ENGINEERING SERVICES - Derosé Design Consultants, Inc. -
\$41,492 - located at 3201 NE 32 Street - Galt Shops area**

Please see funding information attached to these minutes.

CONSENT RESOLUTION

**CR-1 12-2304 CONSOLIDATED BUDGET AMENDMENT TO FISCAL YEAR 2013
BUDGET - APPROPRIATION**

Please see funding information attached to these minutes.

RESOLUTION NO. 12-214

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, 2012, AND ENDING SEPTEMBER 30, 2013, BY APPROPRIATING FUNDS AS SET FORTH IN CITY COMMISSION AGENDA MEMO #12-2304 AND PROVIDING FOR AN EFFECTIVE DATE.

**CR-2 12-2230 BAHIA MAR DREDGING - AMENDMENT TO INTERLOCAL
AGREEMENT FOR GRANT - FLORIDA INLAND NAVIGATION
DISTRICT - extending Phase I design and permitting deadline to
September 30, 2013**

Please see funding information attached to these minutes.

RESOLUTION NO. 12-215

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT AMENDMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT ("FIND") EXTENDING TO SEPTEMBER 30, 2013 THE DEADLINE FOR COMPLETION OF THE PHASE I - DESIGN AND PERMITTING OF THE BAHIA MAR DREDGING PROJECT; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

**CR-3 12-2244 AMENDMENT TO INTERLOCAL AGREEMENT WITH FLORIDA
INLAND NAVIGATION DISTRICT RELATING TO GRANT FOR LAS
OLAS MARINA AND AQUATIC COMPLEX DREDGING - extending
Phase I completion deadline to September 30, 2013**

Please see funding information attached to these minutes.

RESOLUTION NO. 12-216

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT AMENDMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT ("FIN") EXTENDING TO SEPTEMBER 30, 2013 THE DEADLINE FOR COMPLETION OF THE LAS OLAS MARINA & AQUATICS COMPLEX DREDGING PROJECT - PHASE I; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

CR-4 12-2324 QUASI-JUDICIAL - DOCK WAIVER APPLICATION - 810 NE 20 Avenue - installation of three triple-pile clusters adjacent to existing four slip docking facility extending a maximum of 124.4' from property line into Middle River

Applicant: Raymond Parker, Registered Agent, 810 LLC, Dixie Southland Corporation

There is no fiscal impact associated with this action

RESOLUTION NO. 12-217

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.D. OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW 810 LLC TO CONSTRUCT AND MAINTAIN THREE (3) TRIPLE-PILE CLUSTERS EXTENDING A MAXIMUM OF 124.4' FROM THE APPLICANT'S PLATTED PROPERTY LINE LOCATED AT 810 NE 20TH AVENUE, SUCH PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW; SUBJECT TO CERTAIN TERMS AND CONDITIONS; REPEALING ANY AND ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

This Commission Agenda Memorandum was revised, and an email from Robert Terrance Reilly pertaining to this item was made part of the record. See announcements on pages 14.

CR-5 12-2325 DOCK PERMIT APPLICATION - 701 Cordova Road - use, maintenance and repair of existing marginal dock and seawall

Please see funding information attached to these minutes.

Applicant: Glenn and Kristie Caddy

RESOLUTION NO. 12-218

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 GLENN CADDY AND KRISTIE CADDY; SAID DOCK AND SEAWALL LOCATED ON PUBLIC PROPERTY IMMEDIATELY ADJACENT TO PROPERTY LOCATED AT 701 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.

CR-6 12-2339 QUASI-JUDICIAL - DOCK WAIVER APPLICATION - 3355 Port Royale Boulevard.- construction of a wood marginal dock and twenty-one finger piers and associated piles extending a maximum of 55' from property line into privately owned submerged land within yacht basin.

Applicant: ERP Operating Limited Partnership & EQR Port Royale Vistas, Inc.

There is no fiscal impact associated with this action

RESOLUTION NO. 12-219

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.C. & D. OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW ERP OPERATING LIMITED PARTNERSHIP & EQR PORT ROYALE VISTAS, INC. TO CONSTRUCT AND MAINTAIN TWENTY-ONE (21) FINGER PIERS AND ASSOCIATED PILES EXTENDING A MAXIMUM OF 55' INTO THE ABUTTING WATERSWAY OVERLAYING APPLICANTS' PRIVATELY OWNED SUBMERGED LANDS, SAID UPLAND PROPERTY BEING LOCATED AT 3355 PORT ROYALE BOULEVARD, AS BEING MORE PARTICULARLY DESCRIBED BELOW; SUBJECT TO CERTAIN TERMS AND CONDITIONS; REPEALING ANY AND ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE

This Commission Agenda Memorandum was revised. See announcement on page 12.

- CR-7 12-2377 GRANT ACCEPTANCE -15th STREET BOAT LAUNCH AND MARINE COMPLEX REDEVELOPMENT - \$876,906 from Florida Inland Navigation District - local match required - authorizing proper City Officials to execute all necessary documents to receive funds and amending 2013 operating budget by appropriating the funds**

Please see funding information attached to these minutes.

RESOLUTION NO. 12-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA ACCEPTING A GRANT FROM THE FLORIDA INLAND NAVIGATION DISTRICT IN THE AMOUNT OF \$876,906 FOR IMPROVEMENTS TO THE SE 15TH STREET BOAT LAUNCH AND MARINE COMPLEX; AUTHORIZING EXECUTION A FLORIDA INLAND NAVIGATION DISTRICT PROJECT AGREEMENT BY THE CITY MANAGER; AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013.

This item was removed from the agenda at the request of the City Manager.

<p>PURCHASING AGENDA</p>

- PUR-1 12-2284 CONSULTANTS' COMPETITIVE NEGOTIATION ACT SELECTION COMMITTEE'S RECOMMENDATION - RANKING FOR LANDSCAPING ARCHITECTURAL CONSULTANT SERVICES AND COMMENCEMENT OF NEGOTIATIONS - top three ranked firms: 1) Keith and Schnars, P.A., 2) Calvin, Giordano & Associates, Inc. and 3) EDSA, Inc.**

Please see funding information attached to these minutes.

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- PUR-2 12-2295 PURCHASE OF POLICE RECRUIT TRAINING AND MANDATORYRETRAINING CLASSES in the not to exceed amount of \$106,960 from the District Board of Trustees of Broward College, Florida**

Please see funding information attached to these minutes.

- PUR-3 12-2299 CONTRACTS FOR CIVIL ENGINEERING CONSULTANT SERVICES -**
1) The Coradino Group, Inc., 2) Calvin, Giordano & Associates, Inc.,
3) Miller, Legg & Associates, Inc., 4) Craven, Thompson &
Associates, Inc., 5) Tetra Tech, Inc., 6) Atkins North America, Inc.
and 7) Keith and Schnars, P.A. and authorize proper City Officials to
execute on behalf of City

Please see funding information attached to these minutes.

- PUR-4 12-2329 TWO-YEAR EXTENSION AND FIRST AMENDMENT FOR CIVIL**
ENGINEERING UTILITY DESIGN, CONSTRUCTION MANAGEMENT,
APPRAISAL AND COMMUNITY OUTREACH CONSULTANT
SERVICES FOR NDERGROUNDING ABOVE GROUND UTILITY LINES
with Keith and Schnars, P.A.

Please see funding information attached to these minutes.

- PUR-5 12-2335 PURCHASE IBM INFORMIX SUPPORT RENEWAL AND LICENSES in**
the amount of \$53,439.68 from Dataskill, Inc.

Please see funding information attached to these minutes.

- PUR-6 12-2336 ONE-YEAR CONTRACT FOR PURCHASE OF COLD WATER METERS**
in the estimated amount of \$270,030 from Elster Amco Water, LLC
on an as needed basis depending on funding availability for utility
operations and authorize City Manager or designee to approve all
renewal options

Please see funding information attached to these minutes.

- PUR-7 12-2347 INCREASE EXPENDITURE FOR NON-CONTRACTED SERVICE AND**
REPAIRS FOR CITY VEHICLES AND FLEET RELATED EQUIPMENT
in the amount of \$700,000 from First Vehicle Services, Inc.

Please see funding information attached to these minutes.

- PUR-8 12-2357 CONTRACT FOR SEWER BASIN A-21 PROGRESSO AND ANNUAL**
SEWER REPAIR in the amount of \$1,763,401.75 from Lanzo Lining
Services, Inc. - Florida and authorize City Manager to execute on
behalf of City

Please see funding information attached to these minutes.

This item was removed from the agenda at the request of the City Manager.

- PUR-9 12-2372 CONTRACT AWARD FOR MARINE FACILITIES IMPROVEMENT SERVICES** in the amount of \$685,300 from Engineer Control Systems Corporation and authorize City Manager to execute on behalf of City

Please see funding information attached to these minutes.

This item was removed from the agenda at the request of the City Manager.

-
- PUR-10 12-2375 PROPRIETARY PURCHASE - SOFTWARE UPGRADE TO THE INTELLIGENCE LEAD POLICING UNIT** in the amount of \$97,046 from Intergraph Corporation.

Please see funding information attached to these minutes.

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- PUR-11 12-2378 PURCHASE CITY-WIDE HIGH SPEED WIRELESS DATA SERVICES** in the amount of \$379,568 from Verizon Wireless Personal Communications LP

Please see funding information attached to these minutes.

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- PUR-12 12-2396 ONE-YEAR CONTRACT FOR MAINTENANCE OF CITY-OWNED STORMWATER STRUCTURES** in the amount of \$69,650 from A & A Drainage & Vac Services, Inc. and authorize City Manager or his designee to approve all renewal options

Please see funding information attached to these minutes.

-
- PUR-13 12-2397 SUB-CONTRACTOR FOR CERTIFIED ARBORIST SERVICES - EXOTIC REMOVAL AND HABITAT RESTORATION - PARCELS, B-C-D, NORTH OF EXECUTIVE AIRPORT** to Budget Tree Co., Inc.

There is no additional fiscal impact to the City from the previously approved Commission action.

-
- CR-4 12-2324 QUASI-JUDICIAL - DOCK WAIVER APPLICATION - 810 NE 20 Avenue** - installation of three triple-pile clusters adjacent to existing four slip docking facility extending a maximum of 124.4' from property line into Middle River

Applicant: Raymond Parker, Registered Agent, 810 LLC, Dixie Southland Corporation

Mayor Seiler announced a correction that this item should be considered separately as a quasi-judicial public hearing.

CR-6 12-2339 QUASI-JUDICIAL - DOCK WAIVER APPLICATION - 3355 Port Royale Boulevard.- construction of a wood marginal dock and twenty-one finger piers and associated piles extending a maximum of 55' from property line into privately owned submerged land within yacht basin.

Applicant: ERP Operating Limited Partnership & EQR Port Royale Vistas, Inc.

Mayor Seiler announced a correction that this item should be considered separately as a quasi-judicial public hearing.

CR-7 12-2377 GRANT ACCEPTANCE -15th STREET BOAT LAUNCH AND MARINE COMPLEX REDEVELOPMENT - \$876,906 from Florida Inland Navigation District - local match required - authorizing proper City Officials to execute all necessary documents to receive funds and amending 2013 operating budget by appropriating the funds

Mayor Seiler announced that this item was removed from the agenda at the request of the City Manager.

PUR-8 12-2357 CONTRACT FOR SEWER BASIN A-21 PROGRESSO AND ANNUAL SEWER REPAIR in the amount of \$1,763,401.75 from Lanzo Lining Services, Inc. - Florida and authorize City Manager to execute on behalf of City

Mayor Seiler announced that this item was removed from the agenda at the request of the City Manager.

PUR-9 12-2372 CONTRACT AWARD FOR MARINE FACILITIES IMPROVEMENT SERVICES in the amount of \$685,300 from Engineer Control Systems Corporation and authorize City Manager to execute on behalf of City

Mayor Seiler announced that this item was removed from the agenda at the request of the City Manager.

R-1 12-2384 - ESTABLISHING UNDERGROUND UTILITY PLANNING SERVICE AREA - Special Assessment Program for undergrounding of overhead utility lines

This item was removed from the agenda at the request of Vice Mayor Rodstrom.

- M-9 12-2281 DEDICATION OF EASEMENT RIGHTS AS PUBLIC RIGHT-OF-WAY, SIDEWALK AND UTILITY EASEMENT AREA - to be identified as NW 14 Terrace - portion of Provident Park - relating to Sistrunk Gardens Case 54-R-12**

The City Clerk announced a correction that this item was changed to a consent resolution (12-155).

RESOLUTION NO. 12-155

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DEDICATING THE EASEMENT RIGHTS TO THE BELOW-DESCRIBED LANDS AS A PUBLIC RIGHT-OF-WAY, SIDEWALK AND PUBLIC UTILITY EASEMENT AREA TO BE IDENTIFIED AS "N.W. 14TH TERRACE" ON THE OFFICIAL MAP OF FORT LAUDERDALE, FLORIDA; SAID DEDICATION SHALL BE SUBJECT TO CERTAIN TERMS AND CONDITIONS HEREINAFTER SET FORTH; ACCEPTING SUCH DEDICATION; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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- M-2 12-2374 GRANT ACCEPTANCE - FORT LAUDERDALE VOLUNTEER SERVICES NETWORK - \$5,000 - Community Foundation of Broward County - City match required**
- M-7 12-2221 GRANT ACCEPTANCE - 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL SOLICITATION GRANT PROGRAM - \$93,404 and authorize City Manager to execute on behalf of City**
- M-13 12-2380 GRANT ACCEPTANCE - REMOVAL OF INVASIVE EXOTIC PLANTS FROM PORTION OF RIVER OAKS PRESERVE - \$15,000 - Broward County Land Stewardship Program - Partners in Preservation Grant from Broward County Environmental Protection and Growth Management Department and authorize the proper City Officials to execute all necessary documents to receive the funds**

The City Clerk announced that information was provided to the Commission concerning funding changes for these items. The revised Commission Agenda Memorandums are attached to these minutes.

-
- CR-4 12-2324 QUASI-JUDICIAL - DOCK WAIVER APPLICATION - 810 NE 20 Avenue - installation of three triple-pile clusters adjacent to existing four slip docking facility extending a maximum of 124.4' from property line into Middle River**

Applicant: Raymond Parker, Registered Agent, 810 LLC, Dixie Southland Corporation

Mayor Seiler requested that an email from Robert Terrance Reilly pertaining to this item be made part of the record. . The email is attached to these minutes.

Motion made by Commissioner Roberts and seconded by Commissioner DuBose that Consent Agenda Items M-9, CR-4, CR-6, PUR-11, and PUR-12 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

M-9 12-2281 DEDICATION OF EASEMENT RIGHTS AS PUBLIC RIGHT-OF-WAY, SIDEWALK AND UTILITY EASEMENT AREA - to be identified as NW 14 Terrace - portion of Provident Park - relating to Sistrunk Gardens Case 54-R-12

RESOLUTION NO. 12-155

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DEDICATING THE EASEMENT RIGHTS TO THE BELOW-DESCRIBED LANDS AS A PUBLIC RIGHT-OF-WAY, SIDEWALK AND PUBLIC UTILITY EASEMENT AREA TO BE IDENTIFIED AS "N.W. 14TH TERRACE" ON THE OFFICIAL MAP OF FORT LAUDERDALE, FLORIDA; SAID DEDICATION SHALL BE SUBJECT TO CERTAIN TERMS AND CONDITIONS HEREINAFTER SET FORTH; ACCEPTING SUCH DEDICATION; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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

CR-4 12-2324 QUASI-JUDICIAL - DOCK WAIVER APPLICATION - 810 NE 20 Avenue - installation of three triple-pile clusters adjacent to existing four slip docking facility extending a maximum of 124.4' from property line into Middle River

Applicant: Raymond Parker, Registered Agent, 810 LLC, Dixie Southland Corporation

There is no fiscal impact associated with this action

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

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

Mayor Seiler opened the floor for public comment.

In response to Mayor Seiler, Tyler Chappell of The Chappell Group, representing the Applicant, indicated that he did not receive Mr. Reilly's email previously mentioned. Mayor Seiler advised that Mr. Reilly is concerned about live aboards, that is, people living on-board. Mr. Chappell confirmed that this request has no impact on such concern because there are no live aboards, rentals or residences. Mayor Seiler conveyed Mr. Reilly's other inquiry about the Applicant's survey that 30 percent extends 113 feet maximum on the north and 128.73 feet maximum on the south, but the City's recommendation is three triple-pile clusters extending a maximum of 124.4 feet. Mr. Chappell explained that Mr. Reilly is referring to the distances from the north and south property lines. However, the distances used by the Applicant to measure for the triple-pile clusters are greater than the north property line because the Middle River widens to the south. The exact distances from the location of the piles are being measured. However, the mooring pile clusters are located farther south which is a wider part of the river and that is the Applicant's basis of measurement for the 30 percent. The triple-pile clusters are staggered to the south based on the width of the river at that location.

In response to Mayor Seiler, Phil Thornburg, Parks and Recreation Director, indicated that, according to the Marine Advisory Board (MAB) staff liaison, the MAB unanimously approved the application after hearing from several individuals at their meeting. Mayor Seiler asked whether the City has been consistent in their method of measurement. However Mr. Thornburg indicated that he could not speak to that question. Mr. Chappell reiterated that Mr. Reilly did not understand that the Applicant is measuring from the exact location of the pilings. However, the Applicant's method of measuring was addressed before the MAB and is consistent with how the City has treated other similarly situated properties. This property was previously granted a waiver based upon the distances and how they fluctuate. He confirmed that the Applicant will take into consideration some other issues raised by Mr. Reilly involving engine work, carpentry and occasional fuel spillages. The Applicant has an oil spill plan which is required for vessels of this size. In response to Vice Mayor Rodstrom, he confirmed that, regardless of whether a yacht is docked stern-in or bow-in, nothing will extend beyond the pilings to infringe upon the 30 percent of the waterway width.

There being no other 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: Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-217

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.D. OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW 810 LLC TO CONSTRUCT AND MAINTAIN THREE (3) TRIPLE-PILE CLUSTERS EXTENDING A MAXIMUM OF 124.4' FROM THE APPLICANT'S PLATTED PROPERTY LINE LOCATED AT 810 NE 20TH AVENUE, SUCH PROPERTY AS BEING MORE PARTICULARLY DESCRIBED BELOW; SUBJECT TO CERTAIN TERMS AND CONDITIONS; REPEALING ANY

AND ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH;
PROVIDING FOR AN EFFECTIVE DATE.

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

CR-6 12-2339 QUASI-JUDICIAL - DOCK WAIVER APPLICATION - 3355 Port Royale Boulevard.- construction of a wood marginal dock and twenty-one finger piers and associated piles extending a maximum of 55' from property line into privately owned submerged land within yacht basin.

Applicant: ERP Operating Limited Partnership & EQR Port Royale Vistas, Inc.

There is no fiscal impact associated with this action

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

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

Mayor Seiler opened the floor for public comment.

Barbara Hall, representing the Applicant, noted that all of the docks extend into a private basin which is a common area. All of the property owners who are part of the master association have agreed to the proposed plan.

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

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-219

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A WAIVER OF THE LIMITATIONS OF SECTION 47-19.3.C. & D. OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW ERP OPERATING LIMITED PARTNERSHIP & EQR PORT ROYALE VISTAS, INC. TO CONSTRUCT AND MAINTAIN TWENTY-ONE (21) FINGER PIERS AND ASSOCIATED PILES EXTENDING A' MAXIMUM OF 55' INTO THE ABUTTING WATERWAYS OVERLAYING APPLICANTS' PRIVATELY OWNED SUBMERGED LANDS, SAID UPLAND PROPERTY BEING LOCATED AT 3355 PORT ROYALE BOULEVARD, AS BEING MORE PARTICULARLY DESCRIBED BELOW; SUBJECT

TO CERTAIN TERMS AND CONDITIONS; REPEALING ANY
AND ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH;
PROVIDING FOR AN EFFECTIVE DATE

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

PUR-11 12-2378 PURCHASE CITY-WIDE HIGH SPEED WIRELESS DATA SERVICES in the amount of \$379,568 from Verizon Wireless Personal Communications LP

Robert Walsh, 401 East Las Olas Boulevard, expressed concern about the cost of this item. However if this is necessary for employees to perform their duties, he did not object. He asked whether there is an issue with the current system. The City Manager explained that this item is for data services for the City's wireless devices, including laptop computers utilized by the police and fire-rescue departments as well as monitoring systems for the City's water and sewer system.

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

PUR-12 12-2396 ONE-YEAR CONTRACT FOR MAINTENANCE OF CITY-OWNED STORMWATER STRUCTURES in the amount of \$69,650 from A & A Drainage & Vac Services, Inc. and authorize City Manager or his designee to approve all renewal options

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

Mayor Seiler opened the floor for public comment.

Stephanie Toothaker, representing F.A. Johnson, Inc. (F.A. Johnson), indicated that F.A. Johnson has maintained that A & A Drainage & Vac Services, Inc. (A & A) did not meet the minimum bid specifications at the time of the bid opening. It is unfair to allow A & A to add employees and trucks to meet the minimum specifications, as well as hire a qualifying agent after the bids were opened. The City initially agreed with F.A. Johnson that A & A was not responsive and held several meetings with F.A. Johnson which is permissible under the City's Code of Ordinances. Once the City determines that the first- and second-ranked proposers are not responsive, staff can then meet with the third-ranked bidder. In conjunction with those meetings, F.A. Johnson provided the City a renegotiated price of \$125,000 which is about half of the original price. Both F.A. Johnson's original price and renegotiated price were both well within the City's \$300,000 budget for this proposal. Previously, she provided a letter from a Broward County investigator who read the specifications of the City's bid and opined that a license is required. There is also a subsequent letter received from the Broward County Central Examining Board of Engineered Construction Trades (CEB), provided as Exhibit 4 of Commission Agenda Memorandum 12-2396, which is less specific. She highlighted information

set forth in her letter to the Commission, dated November 6, 2012. A copy of the letter is attached to these minutes. A & A's request to obtain a temporary license to perform the services in this bid is an acknowledgement that A & A believed a license was required. Further, the second-ranked bidder (Envirowaste Services Group, Inc.) had a large number of notices of violation when the bids were opened. She concluded by requesting that A & A be found non-responsive and that F.A. Johnson be awarded the contract. In response to Commissioner Roberts, she indicated that F.A. Johnson has never been cited for irregular work products or the like.

George Platt, representing A & A Drainage & Vac Services, Inc., noted that A & A is the low bidder for this proposed bid, was awarded the contract and has been performing these services for about one month. A & A's bid is about \$179,790 less than F.A. Johnson's. Furthermore, A & A was found to be responsive and responsible. Only the apparent low bidder in a hard bid can reduce their bid; so, F.A. Johnson's renegotiated price of \$120,000 was meaningless once A & A was deemed responsive. A & A's price is about \$69,250 and F.A. Johnson's is about \$249,240. The only way (the bid can be awarded) to a higher priced proposer is by disqualifying A & A. He contended that F.A. Johnson filed a bid protest according to the City's bid protest procedure and filed charges against A & A in order to claim that A & A had charges filed against them after the contract was awarded. City staff has indicated that A & A has the vehicles, licenses and employees needed to perform the services. A & A is currently performing the subject services in seven municipalities, including Fort Lauderdale, and has been deemed qualified to do the work by the City Manager as well as the Deputy Director of Finance. He urged the Commission to consider the savings offered by A & A and confirm their October 2, 2012 approval. A copy of his letter to the Commission, dated November 2, 2012, used in his presentation is attached to these minutes.

In response to Commissioner Rogers, James Scrima, owner of A & A Drainage & Vac Services, Inc., explained that the truck was purchased in May. It had to be shipped to Miami. A copy of the receipt, dated May 17, 2012, is attached to these minutes as an attachment to Mr. Platt's letter of November 2, 2012. It arrived about two or three days after the bid date. A deposit was placed on the truck before the City advertised for this bid. He believed delivery of the truck was taken within a couple days of the bid being opened. But he had the truck and it was licensed prior to City notification that A & A was the lowest bidder. As far as it taking some three months for delivery, the truck was a trade-in from a city in North Carolina that did not want to release it until their new truck was put in service. He believed the bid was advertised at the end of May, with a due date in early June. As for the violations, he will be meeting with a hearing officer on November 9. One of the violations is for engaging in business without being licensed. Another is for advertising as a contractor which he claimed is because the term "maintenance" was used on A & A's website. However, the website indicates that A & A has teamed up with licensed contractors. Finally, the heading for A & A on their business tax receipt had to be corrected. He maintains that the cleaning of storm drains only requires an occupational license. He claimed the original letter from David Burgueno, Chief Investigator, Contractor Licensing and Enforcement for Broward County, was based on the inquiry of whether a contractor's license was needed to perform repairs to storm drains. However, Mr. Burgueno has (since) stated on the record that a contractor's license is not needed if only drain cleaning and video inspections are being done; only an occupational license is required. City staff concurs. In further response, Mr. Scrima explained that A & A performed some repair work in other cities due to a misunderstanding, but is now fully compliant as a licensed contractor and a licensed plumber. Commissioner Rogers asked about the contractor being onsite when repairs are made and how this is detailed on A & A's invoices. Mr. Scrima confirmed that A & A is dealing with that issue. The bid requirements specify no violations in the previous three years. F.A. Johnson was cited

for dumping on their property; yet their counsel just indicated there have been no violations. The violations for A & A were issued after the bid was awarded and were prompted by a disgruntled competitor seeking to disqualify A & A. He elaborated upon F.A. Johnson's derogatory remarks concerning his name and that of A & A and their actions of following his employees and taking photographs while work is performed for the City. They are now also making public records requests in another municipality. Ms. Toothaker clarified that F.A. Johnson was issued a violation four years ago. She confirmed for Vice Mayor Rodstrom that the City's bid indicates that a bidder cannot have had any violations in the past three years. Commissioner Roberts pointed out that these are allegations whereas F.A. Johnson's violation was a finding of fact.

There being no other 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: Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

In response to Commissioner Rogers, Kirk Buffington, Deputy Director of Finance, recalled that the City received two contrary communications from Broward County regarding licensing. The first letter stated that a license would be required to perform the work as defined in the bid specifications. Based on that letter, staff found A & A non-responsive and entered into negotiations with F.A. Johnson as permitted by the City's Code of Ordinances. However, the subsequent letter from the CEB vice chair (Exhibit 4) indicated that a license was not required. To this date, he has not received any contradicting communication. Therefore, it continues to be staff's opinion that a license is not required currently for the work as defined in this bid which is cleaning and video inspection, not maintenance. In response to Commissioner Rogers, the City Attorney advised that the City's contract requires awarded contractors to have the proper licenses. If a new licensing requirement is added, then the contractor must obtain it. Based on staff's report, A & A has all of the licenses needed at this time. Commissioner Roberts understood that A & A has acquired a general contractor license in case it is needed. Albert Carbon, Public Works Director, confirmed that this contract is unit-based. The City pays per basin. With respect to A & A's three trucks, he did not foresee the City needing more at this time. This is the first time this work has been contracted. The City would be utilizing A & A on an as-needed basis. Staff will perform an evaluation after the first year and determine if more or less equipment is needed. The City Manager pointed out that this is a non-exclusive contract so the City can utilize the open market if additional work is needed and the contractor is not able to provide it. This contractor will not perform any type of repairs. This contract is only for cleaning. He confirmed for Commissioner Rogers that A & A's price of about \$70,000 is 55 percent less than F.A. Johnson's \$125,000 price.

In response to Vice Mayor Rodstrom, Mr. Buffington explained that the \$69,650 specified in the bid is a total estimated value based on the number of units issued in the bid. For instance, one item involves maintenance of catch basins, inlets and manholes. Staff estimated there to be 500 each of those over the course of the contract's term. Bidders provided unit prices. The total price would increase if staff's estimate rose above 500, unless other categories decreased. As for who determines whether more or less work is needed, it is an operational decision. A change order is brought forward if the value awarded is increased more than ten percent. The City Manager advised that the City's level of service is to clean every drain at least twice annually. An additional labor source was needed to accomplish that, based on the City's existing manpower. Some drains located in flood prone areas need more than two annual cleanings. He thought the number of flooding incidents in severe storms have been minimized in the past few months due to the increased level of service. Mr. Carbon estimated there are 7,000 to 9,000 inlets (or drains) in the city, and there are different types and sizes which are reflected in the bid.

Staff will continue performing in-house maintenance. The proposed contract is to supplement that maintenance. He confirmed that any problem found by the contractor would be repaired by City staff. Neither Mr. Carbon or the City Manager knew exactly how many employees are tasked with such repairs. Vice Mayor Rodstrom requested that information be furnished. She represents areas with significant drainage issues and every dollar spent to alleviate this is well spent.

In response to Commissioner DuBose, Mr. Buffington confirmed that the contract amount could be higher. Commissioner DuBose asked whether the 500 drains to be cleaned have been identified. Mr. Carbon indicated no. A & A has been given certain geographical areas by Public Works' operations staff, but he did not have that information available at this time. Commissioner DuBose stressed that flooding is an issue throughout the city. He questioned how 500 drains ties into the level of service. The City Manager explained that, prior to this contract, the City had crews performing a level of service, but the City's desired goals could not be accomplished with the existing manpower and equipment. So staff examined areas of weakness and developed an estimate for the necessary labor and equipment to augment the City's crews and get the drains cleaned. The bid was issued with unit pricing based on that estimate. He elaborated upon instances when staff would utilize the contractor's services. The purpose of this contract is not to send the contractor to specific drains or inlets, but rather to utilize the contractor where extra help is needed on a week-by-week basis. It is a guesstimate. If the cost was approaching the total price of the contract, he would request additional authority.

Commissioner Rogers had concerns about the disparity in pricing between A & A and the other bidders. He thought the main points of consideration are the level of service and whether it has been correctly calculated. He wanted to be certain of the services the City will receive and that there is enough to get the job done. Commissioner Roberts noted that the bid responses are per-unit based. A & A's bid was less than the others. If the number exceeds 500, A & A's price will remain lower because of the per-unit task specified. Commissioner DuBose disagreed because volume may dictate the unit price. Mr. Buffington explained that A & A's unit bid price was \$90 each for the 500 inlets; F.A. Johnson's unit bid price on the same 500 inlets was \$180 each. There are seven components in the bid, including inlets that have been a topic of discussion. If staff determined that more of another item needs cleaning, and less inlets, the price could remain at \$69,650. However, if the number of units needed to be increased to 1,000, for example, then procurement staff would either bring forward a change order or a recommendation to re-compete. Procurement staff commonly uses estimates. Determinations are made based on performance and need when contracts are reviewed after six to eight months.

In response to Commissioner Rogers, the City Manager affirmed that the full scope of the City's goal has been captured in this proposal. He explained the calculating that took place. There are budgeted funds if more work is needed. Commissioner Rogers remarked that the proposed involves both a small and a larger business. The larger business is in a better position to serve the City. The City Manager advised that staff believes A & A has sufficient manpower and equipment to perform the work. If that proves not to be the case, the contract allows for termination at the City's discretion, with or without cause. Staff would not hesitate to exercise that right because the drains must be maintained. Also, being that the contract is non-exclusive, the City would be able to bring in another contractor at a different rate, if A & A lacks the capacity. Commissioner Roberts noted the City's objective to provide the best work and spend the least amount of money. A & A is performing this work well in seven municipalities as vetted by City staff and their price is significantly lower than the other bidders. He questioned why the City would spend \$55,000 more on this contract. Further, this is the third time that staff has

recommended A & A.

Motion made by Commissioner Roberts and seconded by Commissioner Rogers to approve the item as initially awarded and presented. Roll call showed: YEAS: Commissioner Rogers and Commissioner Roberts. NAYS: Vice Mayor Rodstrom, Commissioner DuBose and Mayor Seiler.

Mayor Seiler recommended this item be rebid. His concern has always been that the original proposal did not require the ability to perform at the time of the bid, but instead allowed a responder to comply afterwards. He thought A & A has the qualifications and is capable of performing the work in the contract. In the interim, status quo can be maintained as the work is currently being done to staff's satisfaction. Speaking to a level of service, Commissioner DuBose felt uncomfortable with the lack of specificity in staff's responses for addressing the City's ongoing flooding issues. If this work is rebid, he wanted there to be a true analysis and a more clearly defined scope. He wanted staff to look at those areas identified where there has been major flooding. He agreed with rebidding. Vice Mayor Rodstrom suggested restructuring the bid to be more broad or comprehensive.

Motion made by Vice Mayor Rodstrom and seconded by Commissioner DuBose to rebid this work and complete continue the contract awarded to A & A Drainage & Vac Services, Inc. on October 2, 2012, through the end of the current \$25,000 purchase order.

Mayor Seiler requested the purchase order issued to A & A on October 2 be allowed to run its course. Commissioner DuBose asked that staff be very clear about the issues regarding licensing, the number of vehicles and so forth. Commissioner Rogers thought a more detailed analysis would be beneficial so the Commission can make a decision as to the level of service. The City Manager noted that the Commission previously established storm water levels of service as part of the storm water utility rate. Staff is simply trying to reach that previously established level of service. Commissioner Rogers thought the level of service was raised and in alignment with the rates that were set and the return on investment calculation. In terms of level of service, he felt it is inconsistent to award a \$70,000 contract when \$300,000 has been budgeted. He cannot make an informed decision based on the information provided. The City Manager indicated that staff will try to develop a bid package that addresses the issues raised tonight, but he was not certain that it is achievable. There is a gap between the level of service and what staff can provide internally which is where the figure was derived, in terms of the bid. Rather than being short of funds, staff budgeted what was believed to be the market rate. Ultimately, staff was pleasantly surprised at the market. Commissioner Rogers maintained that there is inconsistency. The City Manager confirmed for him that staff will bring forward information pertaining to the level of service; staff's capacity to perform the work; and what level of services is needed in a bid.

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

CITIZEN PRESENTATIONS**CIT-1 12-2392 ROBERT GRANATELLI - Marina Lofts Development proposal**

Mr. Granatelli, indicated that he is speaking on behalf of his neighbors at Esplanade on the New River which is adjacent to the proposed Marina Lofts project. Esplanade supports appropriate development on the south side of the New River. They are not trying to kill this project, but want it to be right. The building design does not comply with the area's master plans. The Riverwalk design portion is inconsistent with the existing style. The buildings dwarf others in the area and create a wall along the river. The existing roads cannot handle the impact of 1,100 units. Esplanade opposes the developer's request for a 30 percent parking variance. There are no parking options in this area. As for the legally protected rain tree, he asked that additional experts be consulted before deciding to move it. The Riverwalk portion should be constructed during the first phase. This six-acre site is a keystone property on the south side of the New River. Six acres gives the developer flexibility. He urged the Commission to request the necessary changes and to oppose the project if they are not made.

CIT-2 12-2405 ART SEITZ - Barrier Island

Mr. Seitz indicated that the Ireland's Inn site has been a blighted property for six years. He elaborated upon the sale transaction which offered few to no public benefits. The Pelican Grand Beach Resort is being painted, but there has been a noise issue for over four years related to parties held in their tent. He elaborated upon zoning and dimensions of the W Hotel which is listed for sale. The Trump International Hotel and Tower is being painted, but the Howard Johnson property needs paint and trash removed from the area. The City is first in the country for pedestrian and bicycle fatalities and accidents. A new infrastructure is needed. He claimed the City has not received any funds from the Metropolitan Planning Organization (MPO) because there have not been any shovel-ready projects; and few tourist and development funds are received. He recalled a turnout of 150,000 for the Air and Sea Show and believes the Indy Car event would benefit the city. The MPO funds should no longer be left on the table. The Beach Redevelopment Board could utilize the funds currently spent on special events for infrastructure improvements. He expressed dissatisfaction with the International Swimming Hall of Fame (Aquatic Complex) project and the associated bid process. He thought measures should be taken to prevent flooding in the city.

CIT-3 12-2406 PHIL GIRRBACH - Police and Firefighters Pension Retirement System Board of Trustees decision relating to disability retirement

Mr. Girrbach indicated that he is a former City of Fort Lauderdale police officer on non-duty disability retirement. He was denied duty-related disability retirement for exceeding the procedural requirement to be examined by three physicians as set forth in the City's Code of Ordinances, Section 20-134. Instead, he was required to see five doctors. He contended that the pension office has provided a written statement that more than three doctors are allowed and that it has been an unwritten practice, though contradictory to the ordinance. In response to Mayor Seiler, he submitted a copy of Section 20-134 and the Board of Trustees' Summary Plan

Description that are attached to these minutes. He did not contest this matter years ago because he just realized that this provision of the ordinance has not been changed; it is specific to three and not three or more. He has brought this matter to the attention of the pension office. He elaborated upon the alternatives (duty-related disability and conversion to twenty-year pension) that he missed as a result. He asked the Commission to examine this matter. Commissioner Roberts requested staff review of Mr. Girrback's claim. In response to Mayor Seiler, he outlined feedback he received when he brought this before the Board of Trustees. Commissioner Roberts clarified that he would like an opinion rendered by legal staff.

CIT-4 12-2416 JOHN J. ZULLO – Crime

Mr. Zullo noted that he is a Fort Lauderdale resident. He has experienced crime at his residence and contacted the police a number of times, but was recently told not to report the crimes because they do not believe they are valid. He asked what recourse is available to him. In response to Mayor Seiler, he explained that these are non-emergency matters involving break-ins to his home and vehicle and theft. He asked whether there is a grievance procedure. Mayor Seiler suggested he meet with the Police Chief and the City Manager.

CIT-5 12-2468 ROBERT WALSH - Alzheimer's Awareness - November is National Alzheimer Month

Mr. Walsh noted that November is National Alzheimer's Disease Awareness Month. He thought Alzheimer's patients are treated poorly in hospitals and nursing homes. He elaborated upon the challenges faced by Alzheimer's patients and their loved ones.

PUBLIC HEARINGS

PH-1 12-2291 RESOLUTION - BROWNFIELD AREA DESIGNATION AND JOB ACCELERATOR ZONE - making certain findings, designating real estate parcels to be developed for waterfront dining and entertainment for rehabilitation and redevelopment - Bokamper's Bar and Grill - property owned by P.D.K.N. Holdings, LLC and City

There is no fiscal impact associated with this action.

There being no individuals wishing to speak on this matter, a **motion** was made by Vice Mayor Rodstrom and seconded by Commissioner DuBose to close the public hearing. Roll call showed: YEAS: Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None. Commissioner Roberts was not present for this vote. He left the meeting at approximately 8:18 p.m. and returned at approximately 8:21 p.m.

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-220

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, MAKING CERTAIN FINDINGS; DESIGNATING REAL ESTATE PARCELS TO BE DEVELOPED FOR WATERFRONT DINING AND ENTERTAINMENT AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(b), FLORIDA STATUTES, FOR REHABILITATION AND REDEVELOPMENT FOR THE PURPOSES OF SECTIONS 376.77 — 376.86, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

Which resolution was read by title only. Roll called showed: YEAS: Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None. Commissioner Roberts was not present for this vote. He left the meeting at approximately 8:18 p.m. and returned at approximately 8:21 p.m.

RESOLUTIONS

**R-1 12-2384 - ESTABLISHING UNDERGROUND UTILITY PLANNING SERVICE AREA
- Special Assessment Program for undergrounding of overhead
utility lines**

Please see funding information attached to these minutes.

RESOLUTION NO. 12-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING AN UNDERGROUND UTILITY PLANNING SERVICE AREA ("UUPSA") FOR THE PURPOSE OF UNDERTAKING CERTAIN PLANNING ACTIVITIES FOR THE BENEFIT OF PROPERTY LOCATED WITHIN THE UUPSA WITH RESPECT TO THE UNDERGROUNDING OF OVERHEAD UTILITY LINES; CONSIDERATION OF IMPOSING A FEE FOR THE COSTS OF THE PLANNING AND CONSULTING SERVICES IN ANTICIPATION OF UNDERGROUNDING OVERHEAD UTILITY LINES WITHIN THE UUPSA; PUBLICATION AND WRITTEN NOTICE OF A PUBLIC HEARING TO CONSIDER THE PROPRIETY AND ADVISABILITY OF PROCEEDING WITH THE PLANNING ACTIVITIES ASSOCIATED WITH THE UNDERGROUNDING OF OVERHEAD UTILITY LINES WITHIN THE UUPSA AND IMPOSITION AND AMOUNT OF FEE TO BE CHARGED TO OWNERS OF PROPERTIES WITHIN THE UUPSA; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was removed from the agenda at the request of the City Manager.

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- R-2 12-2292 - BROWNFIELD REDEVELOPMENT BONUS REFUND - recommending approval of Bokamper's Bar and Grill as an "eligible business" under Brownfield Redevelopment Bonus Refund Program and specifying that no local financial support is necessary, subject to designation of the property as a Brownfield area**

There is no fiscal impact associated with this action.

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-205

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RECOMMENDING P.D.K.N. HOLDINGS, LLC BE APPROVED AS AN ELIGIBLE BUSINESS TO RECEIVE A BROWNFIELD REDEVELOPMENT BONUS REFUND PURSUANT TO SECTION 288.107, FLORIDA STATUTES; ELECTING OR IN THE ALTERNATIVE SUPPORTING THE APPLICANT'S ELECTION OF THE LOCAL FINANCIAL SUPPORT EXEMPTION OPTION PURSUANT TO SECTION 288.106(2)(k), FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Which resolution was read by title only. Roll called showed: YEAS: Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, and Mayor Seiler. NAYS: None. Commissioner Roberts was not present for this vote. He left the meeting at approximately 8:18 p.m. and returned at approximately 8:21 p.m.

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- R-3 12-2355 - QUASI-JUDICIAL - VACATION OF UTILITY EASEMENT - Case 8-M-12**
Applicant: Paseo Del Mar
Location: NE 17 Avenue

There is no fiscal impact associated with this action.

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

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-206

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A 40-FOOT UTILITY EASEMENT BETWEEN BLOCKS 229 AND 230 "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, RETAINED BY CITY OF FORT LAUDERDALE ORDINANCE NO. C-90-59; LOCATED SOUTH OF EAST SUNRISE BOULEVARD; NORTH OF NORTHEAST 9TH STREET, EAST OF NORTHEAST 16TH AVENUE AND WEST OF NORTHEAST 17TH TERRACE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

R-4 12-2356 QUASI-JUDICIAL - VACATION OF UTILITY EASEMENT – BROWARD COUNTY COURTHOUSE PARKING GARAGE
Applicant: Broward County Board of County Commissioners
Location: 644 South Andrews Avenue - Case 14-M-12

There is no fiscal impact associated with this action.

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

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-207

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL THAT CERTAIN 14-FOOT UTILITY EASEMENT LOCATED WITHIN PARCEL "A", "COCA-COLA SUBDIVISION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 71, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN SOUTHEAST 6TH STREET AND SOUTHEAST 7TH STREET, EAST OF SOUTH ANDREWS AVENUE AND WEST OF SOUTHEAST 1ST AVENUE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

R-5 12-2381 QUASI-JUDICIAL - VACATION OF UTILITY EASEMENT
Applicant: The Paseo Del Mar I, LP
Location: NE 16 Terrace - Case 9-M-12

There is no fiscal impact associated with this action.

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

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-208

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A 40-FOOT UTILITY EASEMENT BETWEEN BLOCKS 228 AND 229 "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, RETAINED BY CITY OF FORT LAUDERDALE ORDINANCE NO. C-94-1; LOCATED SOUTH OF EAST SUNRISE BOULEVARD; NORTH OF NORTHEAST 9TH STREET, EAST OF NORTHEAST 16TH AVENUE AND WEST OF NORTHEAST 17TH TERRACE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

R-6 12-2401 - PLANNED UNIT DEVELOPMENT ZONING DISTRICT MORATORIUM
EXTENSION - filing or acceptance of an application for rezoning of
any property in the City to a Planned Unit Development District for
an additional 90 days from November 13, 2012 to February 11, 2013

There is no fiscal impact associated with this action.

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-209

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, EXTENDING THE TERM OF ORDINANCE NO. C-12-21 FOR AN ADDITIONAL 90 DAYS FROM NOVEMBER 13, 2012 TO FEBRUARY 11, 2013.

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

R-7 12-2402 - AUTHORIZING CODE ENFORCEMENT LIEN AMNESTY PROGRAM

Please see funding information attached to these minutes.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-210

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING A CODE ENFORCEMENT LIEN AMNESTY PROGRAM.

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

R-8 12-2432 - MIDDLE RIVER-SOUTH MIDDLE RIVER-SUNRISE BOULEVARD COMMUNITY REDEVELOPMENT AREA - SUPPORT STREETSCAPE IMPROVEMENT INITIATIVE - Requesting Broward County Board of County Commissioners review funding request from Fort Lauderdale Community Redevelopment Agency to allocate funds from its Redevelopment Bank

There is no fiscal impact associated with this action.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-211

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, , REQUESTING THAT THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS REVIEW THE FUNDING REQUEST FROM THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY TO ALLOCATE FUNDS FROM ITS REDEVELOPMENT BANK TO

SUPPORT A STREETScape IMPROVEMENT INITIATIVE IN
THE MIDDLE RIVER-SOUTH MIDDLE RIVER-SUNRISE
BOULEVARD COMMUNITY REDEVELOPMENT AREA.

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

**R-9 12-2407 SETTING PUBLIC HEARING FOR NOVEMBER 20, 2012, 6 P.M. -
ESTABLISHING MINIMUM ANNUAL LEASE RATES AND ADOPTING
A BROKERAGE COMMISSION POLICY FOR PROPERTY AVAILABLE
FOR LEASE AT EXECUTIVE AIRPORT**

Please see funding information attached to these minutes.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-212

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
FORT LAUDERDALE, FLORIDA, CALLING A PUBLIC HEARING
ON NOVEMBER 20, 2012, AT 6:00 O'CLOCK P.M. FOR THE
PURPOSES OF ESTABLISHING MINIMUM ANNUAL LEASE
RATES AND ADOPTING A BROKERAGE COMMISSION
POLICY FOR PROPERTY AVAILABLE FOR LEASE AT FORT
LAUDERDALE EXECUTIVE AIRPORT.

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

**R-10 12-2430 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.

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

Budget Advisory Board	Jonathan Macy (Commissioner Rogers)
Community Appearance Board	Kelly Blume (Mayor Seiler)
Community Services Board	Earl Bosworth (Vice Mayor Rodstrom)
Education Advisory Board	Angela Sebaly (Commissioner Roberts)
Parks, Recreation and Beaches	Cate Gundlach (Commissioner Rogers)

Board

Planned Unit Development Zoning District Advisory Committee	Peter J. Henn (Mayor Seiler) Catherine Maus (Vice Mayor Rodstrom) Bradley Deckelbaum (Commissioner Roberts) Jason Scott Crush (Commissioner DuBose) Leigh R. Kerr (Commissioner Rogers) James C. Brady (Consensus) Mary C. Fertig (Consensus)
Police and Firefighters Retirement System Board of Trustees	Jim Naugle (Consensus) Dennis Hole (Consensus – 7 th member recommended by the Board)
Sustainability Advisory Board	Darin Lentner (Commissioner Rogers)

In response to Commissioner DuBose's objection, Vice Mayor Rodstrom withdrew her nomination of Charles King to the Education Advisory Board.

As to the appointment of Matthew Weiss to the Affordable Housing Advisory Committee, the City Clerk advised that the membership categories are specific and not flexible. Vice Mayor Rodstrom asked that Mr. Weiss be included as an appointment if his credentials fit into an available category.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-213

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

ORDINANCES

O-1 12-2467 - FIRST READING OF ORDINANCE EXPANDING MEMBERSHIP OF THE CITIZENS' COMMITTEE OF RECOGNITION

There is no fiscal impact associated with this action.

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-12-42

AN ORDINANCE AMENDING ORDINANCE NO. C-75-16, AS AMENDED, EXPANDING THE MEMBERSHIP OF THE CITIZENS' COMMITTEE OF RECOGNITION TO INCLUDE ONE FORMER COMMISSION MEMBER AND ONE ADDITIONAL PAST HONOREE FROM ANY EXISTING AWARD CATEGORY OTHER THAN EXEMPLARY FORMER CITY EMPLOYEE.

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

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- O-2 12-2369 - FIRST READING OF ORDINANCE AMENDING PAY PLAN BY ADDING SPECIAL PAY PRACTICES - providing maximum 6.13% salary differential for non-classified employees enrolled in City's 401(a) Defined Contribution Plan - hired before August 1, 2012 and in City's employ on effective date of this ordinance**

There is no fiscal impact associated with this action.

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-12-43

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY ADDING SPECIAL PAY PRACTICES TO PROVIDE FOR A MAXIMUM 6.13% SALARY DIFFERENTIAL FOR NON-CLASSIFIED EMPLOYEES WHO ARE ENROLLED IN THE CITY'S DEFINED CONTRIBUTION PLAN, WHO WERE HIRED BEFORE AUGUST 1, 2012, AND WHO ARE IN THE CITY OF FORT LAUDERDALE'S EMPLOY ON THE EFFECTIVE DATE OF THIS ORDINANCE, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

-
- O-3 12-2395 - FIRST READING OF ORDINANCE - 2013 DISCOVER ORANGE BOWL AND DISCOVER BOWL CHAMPIONSHIP SERIES - designating public purpose special event and limited temporary exemption from sign requirements - December 1, 2012 through January 20, 2013**

There is no fiscal impact associated with this action.

Mayor Seiler announced that he serves on the Orange Bowl Committee Board of Directors, and is not receiving financial benefit or gain from this item.

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-12-44

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING DECEMBER 1, 2012 THROUGH JANUARY 20, 2013 AS A PUBLIC PURPOSE SPECIAL EVENT KNOWN AS 2013 DISCOVER ORANGE BOWL AND 2013 DISCOVER BCS NATIONAL CHAMPIONSHIP IN THE CITY OF FORT LAUDERDALE; PROVIDING FOR A LIMITED TEMPORARY EXEMPTION FROM SPECIFIC PROVISIONS OF SECTION 47-22; ESTABLISHING TIME LIMITATIONS, INSURANCE AND INDEMNIFICATION REQUIREMENTS; PROVIDING FOR APPLICATION PROCEDURES AND SAFETY REQUIREMENTS FOR SIGNAGE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

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

O-4 12-2412 **QUASI-JUDICIAL - SECOND 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: Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Rodstrom introduced the following ordinance on SECOND 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: Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

O-5 12-2394 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

Please see funding information attached to these minutes.

In response to Commissioner DuBose, the City Manager explained that the estimated cost of the crossing guards on Sistrunk is \$19,000 which is within the estimated surcharge revenue. Commissioner DuBose had concerns about vehicle speed and a 2-way yield, rather than 4-way, in the area of NW 5 Street and NW 10 Terrace on the south side of Walker Elementary School. Being that the goals are to slow traffic speed and make the area a destination, he thought designated pedestrian crosswalks should be added for the entire Sistrunk corridor to inform motorists to yield the right-of-way to pedestrians. There is also concern to the west on Sistrunk for crossing to get to Lincoln Park and Joseph C. Carter Park.

Commissioner Roberts introduced the following ordinance on SECOND reading:

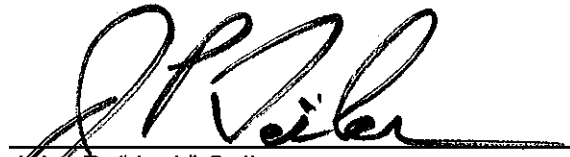
ORDINANCE NO. C-12-40

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.

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

Note: There being no other matters to come before the Commission, the meeting was
adjourned at 8:44 p.m.



John P. "Jack" Seiler
Mayor

ATTEST:



Jonda K. Joseph
City Clerk

M-1

Resource Impact

There is a fiscal impact to the City in the amount of \$24,084.

Funding for this item is available in the FY 2012/2013 Operating budget in Fund 001, Sub-fund 01, Index FD001, Sub-object 9129 – 455,656.

\$24,084 is available in FD001-9129 (Transfer to Miscellaneous Grants), Fund 001, Sub-fund 01, General Fund.

AVAILABLE:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
001	01	GENERAL FUND	FD001	General Fund	9129	Transfer to Misc. Grants	\$ 24,084.00
TOTAL							\$ 24,084.00

Attachment(s)

Exhibit 1 Smart Fire Safety n Emergency Trailer Quote

Prepared By: Battalion Chief Jo-Ann Lorber, X 6809

Department Director: Fire Chief Jeffrey A. Justinak

Finance Director Certification: _____

The Grant Agreement requires the City to indemnify and hold harmless the Community Foundation from any and all liability that it may incur in connection with the City's participation and administration of this contract. The City Attorney's Office does not recommend that the City agree to this provision.

The Grant Agreement also provides that the City is required to maintain its status as a 501(c)(3); this information is not accurate and needs to be deleted from the agreement.

In addition, the Grant Agreement provides that the Mayor attend two mandatory meetings and that the City Manager and Program manager attend a number of meetings; failure to participate in the scheduled meetings may be considered a default on the project and result in a discontinuation of the grant and may require a refund to the Community Foundation.

Resource Impact

There is an anticipated positive fiscal impact to the city in the amount of \$5,000 which would allow for project implementation. As a condition of the grant, \$6,600 in matching funds have been identified in the General Fund within the Human Resources Department budget and will be appropriated at the November 6, 2012 Commission Meeting.

Attachment:

Exhibit 1 – Award Letter

Exhibit 2 – Project Contract

Prepared By: Averill Dorsett, Director of Human Resources, x5307

Department Director: Averill Dorsett



Venice of America

CITY OF
FORT LAUDERDALE

11-6-12
M-2
Revision to
Resource Impact

Memorandum No. 12-319

Date: November 5, 2012

To: Honorable Mayor and Commissioners

From: Lee R. Feldman, ICMA-CM, City Manager *L. R. Feldman*

Subject: November 6, 2012 – Revision to Commission Agenda Item 12-2374 (M-2)
Motion to accept Community Foundation of Broward, Re-engage for
Good Grant for \$5,000 to promote community engagement, volunteerism,
and service ethic among retirees.

The Human Resources Department is requesting the addition of the following language to the Resources Impact section of item 12-2374 (M-2) on the November 6th agenda.

Resource Impact

There is an anticipated positive fiscal impact to the city in the amount of \$5,000 which would allow for project implementation. As a condition of the grant, \$6,600 in matching funds have been identified in the General Fund, Human Resources Department operating budget. Funding will be appropriated with the consolidated budget amendment.

This item is contingent upon approval of the consolidated budget amendment CAM #12-2304, which appropriates the grant funds and matching funds.

cc: Stanley D. Hawthorne, Assistant City Manager
Susanne M. Torriente, Assistant City Manager
Harry A. Stewart, City Attorney
Jonda K. Joseph, City Clerk
John C. Herbst, City Auditor
Chaz Adams, Public Affairs Manager
Averill L. Dorsett, Director of Human Resources



M-3

Resource Impact

There is a positive fiscal impact to the city in the amount of \$10,100 pending the approval of the consolidated budget amendment also being presented to the Commission for approval (Commission Agenda Memo #12-2304).

Appropriate \$10,100 to P11520.331 Fund 331, Subfund 01, Revenue F308 Nextel 800 MHz and Expenditure 6599 Construction

APPROPRIATE:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
331	01	GENERAL CAPITAL PROJECTS	P11520.331	800 MHZ PUBLIC SAFETY RADIO RECONFIGURATION	F308	NEXTEL 800 MHZ RECONFIG	10,100.00
TOTAL REVENUE BUDGET APPROPRIATION							10,100.00

APPROPRIATE:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
331	01	GENERAL CAPITAL PROJECTS	P11520.331	800 MHZ PUBLIC SAFETY RADIO RECONFIGURATION	6599	CONSTRUCTION	10,100.00
TOTAL EXPENDITURE BUDGET APPROPRIATION							10,100.00

Attachment

Exhibit 1 – Sprint-Nextel Amendment 3 Agreement

Prepared By: Troy Bailey, Telecommunications Manager

Department Director: Mike Maier, ITS Director/CTO



CITY OF FORT LAUDERDALE
City Commission Agenda Memo

#12-2323

M-5

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: AGREEMENT WITH RIVERWALK FORT LAUDERDALE, INC.: 1) January 1, 2013 through December 31, 2013.

Recommendation

It is recommended that the City Commission approve an agreement with Riverwalk Fort Lauderdale, Inc. consolidating approval of outdoor events proposed along the Riverwalk by Riverwalk Fort Lauderdale, Inc. - January 1, 2013 through December 31, 2013.

Background

Riverwalk Fort Lauderdale, Inc. is requesting authorization for the execution of an Agreement to allow the listed outdoor events (Exhibit 1) and other substantially similar events to be conducted by the organization along the Riverwalk from January 1, 2013 through December 31, 2013, contingent upon the approval of the Director of Parks and Recreation for each event.

This annual approval was granted for the first time by the City Commission for Riverwalk events during the year 2010, and was granted each year since. The events ran smoothly and there have been no problems. The same process will continue to be followed for all Riverwalk events for the coming year. Each individual event application will be subject to administrative review and approval by the Parks and Recreation Director, and organizers will pay the \$100 application fee for each application that is submitted. Applicant shall give the Parks and Recreation Department at least 30 days prior notice, or additional time for notice as required by the Parks and Recreation Director, of any special outdoor event proposed to be held by the applicant. Upon approval by the Director, a copy of each event application will be forwarded to the Commission. All current permitting requirements, including but not limited to; trash disposal, parking arrangements, logistics, and security, as applicable, will apply. Organizer will provide the City with a certificate of insurance in the amount of \$1,000,000 general liability and \$500,000 liquor liability for each event, naming the city as an additional insured, if required pursuant to the Code of Ordinances.

Resource Impact

There is a positive fiscal impact to the city in the estimated amount of \$2,200.

M 5

Revenue deposit only estimated in the amount of \$2200

SUB				SUB			
FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
001	01	General	PKR033401	Community Events	K029	NonSponsor Charges	2,200.00

Attachments

Exhibit 1 – Proposed Events

Exhibit 2 – Agreement

Prepared By: Stacey Daley, Administrative Assistant, x-5348

Department Director: Phil Thornburg



CITY OF FORT LAUDERDALE
City Commission Agenda Memo

M-7

12-2221

11-6-12

M-7

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager *L. Feldman*

DATE: November 6, 2012

TITLE: GRANT ACCEPTANCE
United States Department of Justice, Broward County, 2012 Edward Byrne
Justice Assistance Local Solicitation Grant Program, \$93,404

**REVISED
MEMORANDUM**

Recommendation

It is recommended that the City Commission approve a motion authorizing the proper city officials to accept a grant from the United States Department of Justice, via the Broward Sheriff's Office, and execute any documents required to accept funds between the United States Department of Justice, the Broward Sheriff's Office and the City of Fort Lauderdale.

Background

In May the City was notified that it was eligible to receive a 2012 Edward Byrne Justice Assistance Local Solicitation Grant (Byrne/JAG). In Broward County Byrne/JAG funds are passed through the Broward Sheriff's Office.

The Police Department is eligible to receive \$100,683 in Byrne/JAG funds, less a 7.23% administrative fee of \$7,279 imposed by the Broward Sheriff's Office, for a total of \$93,404.

Byrne/JAG grant funds can be used for any approved local law enforcement initiative. The awarded funds will be used toward five approved projects:

Tasers	\$20,000.00
Fingerprint Scanners w/1-year maintenance	\$30,404.00
Apprehension K-9	\$9,000.00
Rugged Tablet Computers for Marine Unit	\$16,000.00
Mobile Laptop Computers w/warranties	\$18,000.00

The program period is October 1, 2011 through September 30, 2015.

Resource Impact

Contingent upon approval of the consolidated budget amendment CAM #12-2304, there will be a positive fiscal impact to the city in the amount of \$93,404. There is no required cash match.

M-7

Attachment(s)

Exhibit 1 -- 2012 Edward Byrne Justice Assistance Local Solicitation Grant Memorandum of Understanding

Prepared By: Tymira Mack, Public Safety Grants Manager

Department Director: Franklin C. Adderley, Chief of Police

Based on a recent site review conducted by Engineering staff the roadway meets minimum safety and construction standards and is in acceptable condition for public use. City staff and the HACFL have conceptually agreed to certain improvements, itemized as follows:

1. Resurface the existing road within the proposed right-of-way
(Items 2-6 below apply to the west side of the road only)
 - a) Install a Public Sidewalk compliant with ADA standards
 - b) Install decorative landscaping and irrigation systems
 - c) Install pedestrian lights
 - d) Pay for service installation and monthly utility bills for lighting and irrigation
 - e) Install a swale for collection of roadway and sidewalk surface water runoff
2. Provide all plans, specifications, permit applications and bonds required to construct improvements to engineering standards.
3. Provide a maintenance declaration to maintain the improvements on the west side of the road. The City would be responsible for maintaining the asphalt roadway and the swale on the east side, in perpetuity.

These conditions are also memorialized in the Resolution. The Resolution (and right-of-way dedication) would not take effect until a certificate of completion is issued by the City Engineer and recorded in Broward County Public Records. The right-of-way dedication will also be a condition prior to issuance of a Certificate of Occupancy for the Sistrunk Gardens Project.

Once the right-of-way dedication becomes effective the maintenance responsibility of the road will be transferred to the Public Work Department and be funded from our annual operating budget. Because of the initial resurfacing and maintenance commitment by the HACFL for the improvements, these costs are anticipated to be minimal. Based on a resurfacing life cycle of 15 years the impact is anticipated to be less than \$500 per year.

The resolution would also designate the street name "NW 14 Terrace" for the newly dedicated public right-of-way.

Resource Impact

There is no immediate fiscal impact to the City, however the future annual maintenance and operation cost to the Public Works Department is estimated to be less than \$500.

Attachment

- Exhibit 1 - Location Map and Survey Sketch
- Exhibit 2 - Conceptual Right-of-Way Sketch
- Exhibit 3 - Resolution

Prepared By: Dennis Girisgen, P.E., Land Development Manager

Department Director: Albert J. Carbon, P.E.



**City of Fort Lauderdale
City Commission Agenda Item**

M-10
12-2328

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: Motion to approve Change Order No. 3-Final with Walker Design & Construction Co. for Mills Pond Park Improvements - \$3,562.42.

Recommendation

It is recommended that the City Commission approve Change Order No. 3-Final in the amount of \$3,562.42 plus 17% engineering administration fees to add an item to Project 11482 for the Mills Pond Park Improvements project.

Background

At the request of the City, the contractor supplied and installed 200 new clips for the field lighting. This work was not in the original scope and could not be anticipated as some of the existing clips broke during the relamping of the existing field lighting.

A cost savings was realized by performing this work at the time of the field lighting replacement by utilizing the bucket truck for both purposes. These clips had to be replaced in order to have the fields operational. This was emergency work that was required to accommodate the games schedule.

This project is 100% complete.

Resource Impact

There is a fiscal impact to the City in the amount of \$4,168.03. This includes \$3,562.42 for additional services outlined in Change Order No. 3-Final for Mills Pond Park Improvements with Walker Design & Construction Co. and \$605.61 for 17% engineering administration fees.

Available

SUB		SUB					
FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
331	1	General Capital Projects	P11482.331-6599	Mills Pond Park Improvements	6599	Construction	\$4,168.03
TOTAL							\$4,168.03



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo**

#12-2341

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: Motion approving a Reciprocal Entry and Inspection Agreement with
P.D.K.N., P-7, LLC – Fire Station 54

Recommendation

It is recommended that the City Commission approve a Reciprocal Entry and Inspection Agreement with P.D.K.N., P-7, LLC, and authorize the City Manager to execute on behalf of the City.

Background

On November 2, 2004 the Citizens of Fort Lauderdale voted in support of the \$40 million Fire-Rescue Facilities Bond ballot measure. This ballot measure identified the issuance of revenue bonds to fund the replacement of up to ten new fire stations. Fire Station (FS) 54 is one of the 10 stations identified and is located at 3200 NE 32nd Street (Galt Shops Area).

At the August 21, 2012 Commission Conference Meeting there was consensus approval for staff to negotiate with P.D.K.N., P-7, LLC, for a property exchange and public/private partnership to build FS 54. Minutes from the meeting are attached as Exhibit 2.

The proposed property exchange is for the fire station to be situated on the north side of 32nd Street adjacent to 33rd Avenue with parking to the west. The City will prepare an RFP to construct the fire station with available City funding and expedite construction of the station on the new site.

This action will allow the City and P.D.K.N., P-7 access to both properties in order complete geotechnical and environmental investigations in an effort to expedite design and construction of the Fire Station.

Resource Impact

There is no fiscal impact associated with this action. Fire Station 54 is funded through the 2004 Fire Rescue Bond Referendum. Funding is available in P10914.

M-13

Brothers Corporation the City's current native plant contractor.

Resource Impact

There is a positive fiscal impact to the City in the amount of \$15,000. This Broward County \$15,000 grant revenue and expenditure will be appropriated with the consolidated budget amendment included in the 11/06/2012 City Commission agenda, to Fund 470, Subfund 02, P11419.470D.

APPROPRIATE TO:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
470	02	Stormwater Capital Projects	P11419.470D	River Oaks Stormwater Park	F304	Broward County - Physical Environment	\$ 15,000.00
AND							
TOTAL							15,000.00

APPROPRIATE TO:

FUND	SUBFUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
470	02	Stormwater Capital Projects	P11419.470D	River Oaks Stormwater Park	6599	CONSTRUCTION	\$ 15,000.00
TOTAL							15,000.00

Attachment(s)

Exhibit 1 – Agreement

Exhibit 2 – Grant Agreement

Prepared By: Julie Leonard, Deputy Public Works Director - Utilities
Department Director: Albert J. Carbon, P.E.



CITY OF
FORT LAUDERDALE

City Manager's Office

M-13

11-6-12
M-13
Revision to
Resource Impact

Memorandum

Memorandum No: 12-317

Date: November 5, 2012

To: Honorable Mayor and Commissioners

From: Lee R. Feldman, ICMA-CM, City Manager

Re: November 6, 2012 – Revision to Commission Agenda Item 12-2380 (M-13)
Motion to accept Broward County Partners in Preservation Grant for \$15,000 to
remove invasive exotic plants from a portion of the River Oaks Preserve

The Public Works Department is requesting the addition of the following language to the Resource Impact section of item 12-2380 (M-13) on the November 6th agenda.

Resource Impact

There is a positive fiscal impact to the City in the amount of \$15,000. This Broward County \$15,000 grant revenue and expenditure will be appropriated with the consolidated budget amendment included in the 11/06/2012 City Commission agenda, to Fund 470, Subfund 02, P11419.470D.

This item is contingent upon approval of the aforementioned consolidated budget amendment CAM #12-2304.

- c: Stanley D. Hawthorne, Assistant City Manager
Susanne M. Torriente, Assistant City Manager
Harry A. Stewart, City Attorney
Jonda K. Joseph, City Clerk
John C. Herbst, City Auditor
Chaz Adams, Public Affairs Manager
Albert J. Carbon, P.E., Public Works Director



CITY OF FORT LAUDERDALE
City Commission Agenda Memo

#12-2460

M-14

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: Motion to approve Task Order 6 with Derosé Design Consultants, Inc., in the amount of \$41,993 for Mechanical and Electrical Engineering Services – Fire Station 54

Recommendation

It is recommended that the City Commission approve Task Order No. 6, with Derosé Design Consultants, Inc., in the amount of \$41,993 for Mechanical and Electrical Engineering Services – Fire Station 54 - P10914.

Background

As part of the Fire Rescue Bond Program, the City is in the process of designing the new fire station to replace the existing obsolete facility at 3200 NE 32 Street. City staff is preparing the architectural design; however to complete the project design the City needs to hire consultants to perform some of the design tasks. This Project is being designed to achieve Leadership in Energy & Environmental Design (LEED) Certification.

Under provisions of the Consultant's Competitive Negotiation Act (CCNA), the City previously procured continuing design services with DeRose Design Consultants, Inc. A scope was established and a Mechanical and Electrical Engineering Design Contract was executed.

To facilitate the continued design and planning of this new Fire Station in a timely manner, staff is proposing to utilize the services of DeRose Design Consultants, Inc. for electrical/mechanical engineering services.

Staff has obtained a proposal in the form of Task Order No. 6 for the required work in the amount of \$41,993. This fee is reasonable for the proposed design task.

Resource Impact

There is a fiscal impact to the City in the amount of \$42,832.86; \$41,993 for the task order and \$839.86 for two percent Engineering administration fees.

Funding for this item is available in Fund 336, Subfund 01, P10914.336.6599.

M-14

AVAILABLE FUNDING		FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
FUND	SUBFUND						
336	01	Fire Rescue Bond 2005 Series Construction	P10914.336	New Fire Station 54	6599	Construction	\$ 42,832.86
TOTAL							42,832.86

Attachment

Exhibit 1 – Task Order 6

Prepared By: Mehrdad "Mike" Fayyaz, P.E., Assistant City Engineer

Department Director: Albert J. Carbon, P.E.



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo**

#12-2464

M-15

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: Motion to approve Task Order 5 with Derosé Design Consultants, Inc., in the amount of \$41,492 for Structural Engineering Services – Fire Station 54

Recommendation

It is recommended that the City Commission approve Task Order No. 5 with Derosé Design Consultants, Inc., in the amount of \$41,492 for Structural Engineering Services – Fire Station 54 - P10914.

Background

As part of the Fire Rescue Bond Program, the City is in the process of designing the new fire station to replace the existing obsolete facility at 3200 NE 32 Street. City staff is preparing the architectural design; however to complete the project design the City needs to hire consultants to perform some of the design tasks. This Project is being designed to achieve Leadership in Energy & Environmental Design (LEED) Certification.

Under provisions of the Consultant's Competitive Negotiation Act (CCNA), the City previously procured continuing design services with DeRose Design Consultants, Inc. A scope was established and a Structural Engineering Design Contract was executed.

To facilitate the continued design and planning of this new Fire Station in a timely manner, staff is proposing to utilize the services of DeRose Design Consultants, Inc. for structural engineering services.

Staff has obtained a proposal in the form of Task Order No. 5 for the required work in the amount of \$41,492. This fee is reasonable for the proposed design task.

Resource Impact

There is a fiscal impact to the City in the amount of \$42,321.84. \$41,492 for the task order and \$829.84 for two percent Engineering administration fees.

M-15

Funding for this item is available in Fund 336, Subfund 01, P10914.336.6599.

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
336	01	Fire Rescue Bond 2005 Series Construction	P10914.336	New Fire Station 54	6599	Construction	\$42,321.84
TOTAL							\$42,321.84

Attachment

Exhibit 1 – Task Order 5

Prepared By: Mehrdad "Mike" Fayyaz, P.E., Assistant City Engineer

Department Director: Albert J. Carbon, P.E.

CR-1

in place, however, the remainder of the funding needs to be appropriated in order to make the payment to the TMA under the agreement.

Staff recommends the City Commission amend the FY 2013 operating budget by amending the appropriate revenue and expense accounts in the amount of \$578,830 for the TMA Agreement.

Resource Impact

The fiscal impact in the various funds is outlined in the tables below. The letters below correspond to the descriptions in the background section of this document.

City Manager's Office

A. Transfer between capital projects – General Capital Projects Fund – Neighborhood Community Investment Program (NCIP) projects - \$25,000.20

Transfer From:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
331	01	General Capital Projects	P11098.331	2005-06 NCIP River Gardens Signs/Irrigation	6599	Construction	672.00
331	01	General Capital Projects	P11506.331	2009 NCIP River Garden/Sweeting Estates	6599	Construction	24,328.20
Total							\$ 25,000.20

Transfer To:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
331	01	General Capital Projects	P10202.331	NCIP Harbor Beach	6599	Construction	25,000.20
Total							\$ 25,000.20

CR-1

B. Appropriation and acceptance of grant funding – General Capital Projects Fund - Harbor Beach Neighborhood Community Investment Project (NCIP) - \$35,000

Appropriate:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
331	01	General Fund Capital Projects	P10202.331	NCIP Harbor Beach	N965	Reimb Projects	35,000.00
TOTAL							35,000.00

Appropriate:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
331	01	General Fund Capital Projects	P10202.331	NCIP Harbor Beach	6599	Construction	35,000.00
TOTAL							35,000.00

Col 1

**C. Appropriation and acceptance of grant funding and match funding – Grants Fund
– City Challenge Program - \$5,000 and \$6,600 (General Fund)**

Appropriate:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
129	01	Misc Fed/ State/ County Grants	GVOLSC13	FL Volunteer Services	F744	Sources - General Government	5,000.00
Total							\$ 5,000.00

Appropriate:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
129	01	Misc Fed/ State/ County Grants	GVOLSC13	FL Volunteer Services	3299	Other Services	5,000.00
Total							\$ 5,000.00

Appropriate From (Cash Match):

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
001	01	General Fund	HRD010101	Human Resources	3299	Other Services	6,600.00
Total							\$ 6,600.00

Appropriate To (Cash Match):

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
129	01	Misc Fed/ State/ County Grants	GVOLSC13	FL Volunteer Services	3299	Other Services	6,600.00
Total							\$ 6,600.00

Information Technology Services

CR-1

D. Appropriation from fund balance – Building Technology Fund – CommunityPLUS system - \$602,500

Appropriate From:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
142	01	Building Technology	FD142.01	Building Technology - Fund Balance	9926	Reserve for Working Capital	602,500.00
Total							\$602,500.00

Appropriate To:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
142	01	Building Technology	DSD034204	Building Technology	3199	Other Professional Services	602,500.00
Total							\$602,500.00

E. Appropriation for modified revenue and related expenditures – General Capital Projects Fund - Nextel 800 MHZ reconfiguration - \$10,100

Appropriate:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
331	01	General Capital Projects	P11520.331	800 MHZ Public Safety Radio Configuration	F308	Nextel 800 MHZ Reconfig	10,100.00
Total							\$ 10,100.00

Appropriate:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
331	01	General Capital Projects	P11520.331	800 MHZ Public Safety Radio Configuration	6599	Construction	10,100.00
Total							\$ 10,100.00

Police Department

CR-1

F. Appropriation and acceptance of grant funding – Grants Fund - Edward Byrne Memorial Justice Assistance Grant (Byrne/JAG) Program, \$93,404

Appropriate:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
129	02	Misc Fed/ State/ County Grants	GLLEBG14	Byrne Memorial Justice Assist 2012	C123	DOJ Pass Thru Broward Co.	93,404.00
Total							\$ 93,404.00

Appropriate:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
129	02	Misc Fed/ State/ County Grants	GLLEBG14	Byrne Memorial Justice Assist 2012	3946	Tools & Equip >5,000	84,404.00
129	02	Misc Fed/ State/ County Grants	GLLEBG14	Byrne Memorial Justice Assist 2012	6499	Other Equipment	9,000.00
Total							\$ 93,404.00

Public Works

G. Appropriation from fund balance – Water & Sewer General Capital Projects - \$347,000

Appropriate From:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
454	01	Water and Sewer General Capital Projects	FD454	General Capital Projects - Fund Balance	N/A	N/A	347,000.00
Total							\$347,000.00

Appropriate To:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
454	01	Water and Sewer General Capital Projects	P10737.454	Bridge Replacement at SE 15th Avenue	6599	Construction	347,000.00
Total							\$347,000.00

CR-1

H. Appropriation from fund balance – Parking Fund - To Fund the Balance of the 15th Street Boat Ramp Project - \$375,000

Appropriate From (Cash Match):

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
461	01	Parking Systems Operations	FD461.01	Parking Systems Operations	9901	Anticipated Year-End Balance	375,000.00
Total							\$375,000.00

Appropriate To (Cash Match):

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
461	01	Parking Systems Operations	P11422.129F	SE 15th ST Boat Launch & Marine Complex Redevelopment	6599	Construction	375,000.00
Total							\$375,000.00

I. Appropriation and acceptance of grant funding – Grants Fund - Broward County Environmental Protection and Growth Management Department for Partners in Preservation Grant - \$15,000

Appropriate:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
470	02	Stormwater Capital Projects	P11419.470D	River Oaks Stormwater Park	F304	Broward County - Physical Environment	15,000.00
Total							\$ 15,000.00

Appropriate:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
470	02	Stormwater Capital Projects	P11419.470D	River Oaks Stormwater Park	6599	Construction	15,000.00
Total							\$ 15,000.00

CR-1

J. Appropriation from fund balance – General Fund - Florida East Coast (FEC)
Railway licenses and maintenance - \$20,091.72

Appropriate From:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
001	01	General Fund	FD001	General Fund - Fund Balance	9901	Anticipated Year-End Balance	20,091.72
Total							\$ 20,091.72

Appropriate To:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
001	01	General Fund	PBS040101	Engineering Administration	3216	Costs/Fees/Permits	20,091.72
Total							\$ 20,091.72

CR-1

**K. Transfer between capital and operating budgets – Water and Sewer Fund -
Cayenta Utility Billing System maintenance costs - \$73,917**

Appropriate From:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
454	01	Water and Sewer General Capital Projects	P11139.454	Utility Billing System Replacement	6599	Construction	48,970.00
409	02	Sanitation	P11139.409	Utility Billing System Replacement	6599	Construction	21,505.00
470	02	Stormwater	P11139.470	Utility Billing System Replacement	6599	Construction	3,496.00
Total							\$ 73,971.00

Appropriate To:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
450	01	Water and Sewer General Capital Projects	PBS010101	Public Services Director	3401	Computer Maintenance	48,970.00
409	01	Sanitation	PBS090101	Sanitation	3401	Computer Maintenance	21,505.00
470	01	Stormwater	PBS690603	Stormwater Environmental Resources	3401	Computer Maintenance	3,496.00
Total							\$ 73,971.00

CR-1

Transportation and Mobility Department

L. Appropriation from fund balance – Funding for the Transportation Management Association (TMA) Agreement - \$734,830

APPROPRIATE:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
129	01	MISC. FEDERAL/STATE/COUNTY GRANTS	GBEACHBUS	FTA BEACH SHUTTLE PROGRAM	C308	FTA - US DEPT TRANSPORTATION	161,430.00
TOTAL							161,430.00

APPROPRIATE:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
129	01	MISC. FEDERAL/STATE/COUNTY GRANTS	GBEACHBUS	FTA BEACH SHUTTLE PROGRAM	3299	OTHER SERVICES	161,430.00
TOTAL							161,430.00

APPROPRIATE:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
129	01	MISC. FEDERAL/STATE/COUNTY GRANTS	GTRANSIT	5TH C GAS TAX FOR TRANSPORTATION	F402	LOCAL ALTERNATIVE	217,400.00
TOTAL							217,400.00

APPROPRIATE:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
129	01	MISC. FEDERAL/STATE/COUNTY GRANTS	GTRANSIT	5TH C GAS TAX FOR TRANSPORTATION	4204	OPERATING SUBSIDIES	217,400.00
TOTAL							217,400.00

APPROPRIATE FROM:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
461	01	PARKING SYSTEM- OPERATIONS	FD461.01	PARKING SYSTEMS - OPERATIONS FUND BALANCE	9926	RESERVE FOR WORKING CAPITAL	200,000.00
TOTAL							200,000.00

APPROPRIATE TO:

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
461	01	PARKING SYSTEM- OPERATIONS	TAM020101	PARKING CUSTOMER SERVICES	4204	OPERATING SUBSIDIES	200,000.00
TOTAL							200,000.00

Prepared By: Bobbi Williams
 Budget Manager: Emilie R. Smith
 November 6, 2012
 (ID #12-2304)

CR-2

begin dredging, to a depth of 17feet, the Intracoastal Waterway northward from the Port Everglades turning basin beyond the Las Olas Marina by approximately 5000 feet.

Resource Impact

There is a fiscal impact to the City in the amount of \$207,470.

\$144,337 is available (some encumbered) in P11670.129, match in the amount of \$63,133 is available under P11670.129A.

SUB				SUB				
FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
2012	129	01	Misc. Fed/State/County Grants	P11670.129	Bahia Mar Dredging	6599	Construction	144,337.00
2012	129	01	Misc. Fed/State/County Grants	P11670.129A	Bahia Mar Dredging Match	6599	Construction	63,133.00
total								207,470.00

Attachment(s)

Exhibit 1 – Interlocal Agreement
Exhibit 2 – Extension Agreement
Exhibit 3 – Resolution

Prepared By: Stacey Daley, Administrative Assistant
Department Director: Phil Thornburg

CR-3

Phase II of the project will connect the Bahia Mar Yachting Center to the Intracoastal Waterway with similar depths to the completed Intracoastal of 17 feet. The increased depth will provide access to each site for larger vessels. FIND is presently in the process of dredging the Dania Cutoff Canal. Upon completion, they will mobilize equipment and begin dredging, to a depth of 17feet, the Intracoastal Waterway northward from the Port Everglades turning basin beyond the Las Olas Marina by approximately 5000 feet.

Resource Impact

There is a fiscal impact to the City in the amount of \$173,010.

\$110,860 is available (some encumbered) in P11671.129, match in the amount of \$62,150 is available under P11671.129A.

SUB

SUB

FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
2012	129	01	Misc. Fed/State/County Grants	P11671.129	Las Olas Marina & Aquatic Dredge	6599	Construction	110,860.00
2012	129	01	Misc. Fed/State/County Grants	P11671.129A	Las Olas Marina & Aquatic Dredge	6599	Construction	62,150.00
total								173,010.00

Attachment(s)

Exhibit 1 – Interlocal Agreement

Exhibit 2 – Extension Agreement

Exhibit 3 – Resolution

Prepared By: Stacey Daley, Administrative Assistant

Department Director: Phil Thornburg

11-6-12
CR-04

Jonda Joseph

From: Jonda Joseph
Sent: Wednesday, November 07, 2012 11:34 AM
To: Bruce G. Roberts
Subject: RE: 11/06/2012 City Commission Agenda Item CR-4

Commissioner, apparently I didn't get this email opened before yesterday's meeting. Now that it has been 'introduced' at the meeting, I will make it a part of the record. For the future, Harry has opined that the matter needs to be stated at the mtg in order to be made a part of the record of the mtg. Therefore, a member of the Commission can ask that it be included or the individual can speak at the mtg. Harry explained it to me that the mtg has to take place at the mtg. Sorry for so many words...

From: Bruce G. Roberts
Sent: Monday, November 05, 2012 1:57 PM
To: 'Robert Terrance Reilly'
Cc: Robbl Uptegrove; Jonda Joseph; Jeff Modarelli
Subject: RE: 11/06/2012 City Commission Agenda item CR-4

Mr.. Reilly,
Thank for your input, which will be taken into consideration. I have also forwarded your request to our City Clerk in order have this email included as part of the public record.

Bruce G. Roberts
Commissioner District 1
City of Fort Lauderdale
Fort Lauderdale, FL 33301 USA
954-828-5033
broberts@fortlauderdale.gov



From: Robert Terrance Reilly [<mailto:reillysoutbound@gmail.com>]
Sent: Monday, November 05, 2012 11:49 AM
To: Jack Seller; Charlotte Rodstrom; Romney Rogers; Bruce G. Roberts; Bobby B. DuBose
Subject: 11/06/2012 City Commission Agenda Item CR-4

Dear Commission;
Honorable Mayor Seiler, Vice Mayor / Commissioner Rodstrom, District 2
Commissioners - Roberts, District 1; DuBose, District 3; Rogers, District 4

I am Robert Terrance Reilly; reside and own 824 NE 20 Ave., Ft. Laud., FL 33304-3036, this Tuesday, November 6th in your agenda, item CR-4 shall be coming up for vote to accept the City Manager Lee Feldman, recommendation to adopt the resolution for this

Waiver of Limitations – ULDR Sec. 47-19.3 D and E for 808/810 NE 20th Ave. / Dixie Southlands Corporation.

I am unable to attend that evenings meeting and would request if this could become part of record. I have also sent emails in years past with no replies from anyone in Ft. Lauderdale Commission.

I have been defending this area of Middle River and lower basin in excess of five years at least. Recent changes of land ownership over the past ten years has this area looking more and more as a marina area from Sunrise Blvd. south and after years now I did get an answer to this areas ROA zoning from Anthony F. phone 828-5984 in Urban Design & Planning [Planning and Zoning] that this is not a "LIVE ABOARD" zoned area. I mention this due to the fact that this Applicant is has been rent to this action. Code Enforcement has been called numerous times with no resolve or enforcement to code.

When looking at the package from Applicant 808-810 Mr. Parker's survey states

N - 376.5' W/F to W/F 30% = 112.95' or 113' maximum

S - 429.1' W/F to W/F 30% = 128.73'

What he has for Submerged Land Lease to State of Florida exceeds the ULDRs 30% [see attach] and as I read City Manager recommendation that three triple-pile clusters adjacent to an existing four slip docking facility extending a maximum of 124.4' from the property line into the Middle River is giving license to allow code ordinance to be broken.

If you can see the north property line would only allow 113' maximum not the 116' being requested or the 123.41' for Submerged Land Lease north line and if Applicant pays State for land, by code he can not lawfully use so the better for the State.

Other matters have arisen through the years now - car parking for ship owners not provided, work upon these vessels against code when doing engine work, carpentry... plus the sometime fuel spill - if this be progress - the memories of Manatees and their young swimming up Middle River along my part of the seawall, shall be just that!

Please look carefully at this
Robert Terrance Reilly
Outbound Apartments
824 NE 20th Ave.
Ft. Lauderdale, FL 33304-3036
954/ 525-2582



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo**

#12-2325

CA-5

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: DOCK PERMIT APPLICATION: 1) Glenn and Kristie Caddy; 2) located on public property immediately adjacent to their address at 701 Cordova Road; 3) use, maintenance and repair of an existing marginal dock and seawall

Recommendation

It is recommended that the City Commission adopt a resolution authorizing Glenn and Kristie Caddy use, maintenance and repair of an existing marginal dock and seawall located on public property immediately adjacent to their address at 701 Cordova Road.

Background

The applicant is seeking approval for use, maintenance and repair of an existing 70' long x +/-5' to 12' wide marginal dock and seawall on public property abutting the waterway adjacent to 701 Cordova Road (see **Exhibit 1**). Although there is not a fee associated with this private use of public property, an application fee in the amount of \$300 plus tax is required. The applicant's narrative specifies that the dock will be used for their personal, private vessel storage.

City Code Section 8-144 (**Exhibit 3**) authorizes the construction and use of docks on public property, and allows for the permit to be issued for a fixed period provided the permit holder agrees to maintain the improvements and seawall. The permit holder is responsible for maintaining improvements to the area and for beautifying a reasonable area in and around the dock location. Additionally, the dock must be kept open at all times as means of reasonable ingress and egress to the public with the permit holder having the right to exclude the public from a reasonable portion where he/she has placed improvements (not exceeding 50% of the area).

Resource Impact

There is a positive fiscal impact associated with this action in the amount of \$318.

CA-5

Revenue to be deposited into:

FISCAL		SUB				SUB			
YEAR	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT	
2013	001	01	General fund	PKR090101	Marine Facilities Admin.	K189	Private Dock Fees	300.00	
2013	001	01	General fund	FD001	Sales Tax		219-450009	18.00	
TOTAL								318.00	

Attachments

Exhibit 1 – Application (unanimously approved by Marine Advisory Board 10/4/12)

Exhibit 2 – Marine Advisory Board Minutes 10/04/2012

Exhibit 2 – Code Sec. 8-144

Exhibit 3 – Consent Resolution

Prepared By: Stacey Daley, Administrative Assistant, x-5348

Department Director: Phil Thornburg



CITY OF FORT LAUDERDALE
City Commission Agenda Memo

PR-1
12-2284

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: Motion to approve final ranking and commencement of contract negotiations for landscape architectural consultant services – Request for Qualifications (RFQ) 626-10951

Recommendation

It is recommended that the City Commission approve final ranking and commencement of contract negotiations for landscape architectural consultant services with 1) Keith and Schnars, P.A., 2) Calvin, Giordano & Associates, Inc., and 3) EDSA, Inc.

Background

On March 7, 2012 twelve proposals were received in response to City's RFQ 626-10951 subject to the Consultants' Competitive Negotiation Act (CCNA) for a continuing contract for landscape architectural consultant services. On September 5, 2012 the selection and evaluation committee (SEC) consisting of the following City staff: Thomas White and Gene Dempsey, Public Works and Dave Gennaro, Sustainable Development shortlisted the top seven ranked firms to make oral presentations. After oral presentations by the shortlisted firms on September 20, 2012, the SEC selected the top three ranked firms to commence contract negotiations.

Resource Impact

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.

Attachment(s)

Exhibit 1 – List of proposers
Exhibit 2 – Final ranking tabulation

Prepared By: Rick Andrews, Procurement Specialist II
Carrie Keohane, Administrative Assistant I
Department Director: Albert J. Carbon, P.E. Public Works

PUR-2

such as county ordinances, multi-agency task forces and insight from the Broward Chiefs of Police Association and the Law Enforcement Advisory Board. Additionally, the Fort Lauderdale Police Department maintains a full-time academy advisor on staff at Broward College to assist our employees and the campus is in close proximity to the City. This is vital since travel and training have both been restricted due to budgetary constraints. For these reasons, as well as the cost, we feel it is more beneficial and in the best interest of the City to continue using Broward College's Institute of Public Safety for our primary training needs. Broward College has increased tuition for Police Officer Academy training and some Mandatory Training from the previous fiscal year. Tuition has also decreased for some courses such as the Certified Officer Pre-Exam Qualification Course. These fluctuations in pricing have been factored into our cost projections.

Resource Impact

FUNDS AVAILABILITY LOCATION:

FISCAL		SUB				SUB			
YEAR	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBOBJECT NAME	AMOUNT	
2013	001	01	GENERAL FUND	POL020211	SUPPORT SVS TRAINING	4116	SCHOOLS	106,960.00	
TOTAL								106,960.00	

Prepared By: Michael F. Walker, Procurement and Contracts Manager
Carrie Keohane, Administrative Assistant I

Department Director: Chief Frank Adderley, Police



CITY OF FORT LAUDERDALE
City Commission Agenda Memo

12-2299

Pur-3

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: Motion to approve contract agreements for civil engineering consultant services – Request for Qualifications (RFQ) 626-10881

Recommendation

It is recommended that the City Commission approve contract agreements for civil engineering consultant services with 1) The Corradino Group, Inc., 2) Calvin, Giordano & Associates, Inc., 3) Miller, Legg & Associates, Inc., 4) Craven, Thompson & Associates, Inc., 5) Tetra Tech, Inc., 6) Atkins North America, Inc. and 7) Keith and Schnars, P.A., and authorize the proper City officials to execute the contract agreements.

Background

On February 8, 2012 twenty-two proposals were received in response to City RFQ 626-10881 subject to the Consultants' Competitive Negotiation Act (CCNA) for a continuing contract for civil engineering consultant services. On March 27, 2012 the selection and evaluation committee (SEC) consisting of the following City staff: Fernando Blanco, Transportation and Mobility, Steve Hillberg and Herbert Stanley, Public Works reviewed and evaluated all proposals and shortlisted respondents to the top ten ranked firms to make oral presentations. On July 18, 2012 after oral presentations the SEC recommended the top seven ranked firms. On August 21, 2012 the Commission approved ranking of the top seven firms and authorized staff to commence contract negotiations with those firms.

The initial contract agreements will be for a two-year period with two one-year extension options subject to City Commission approval.

Resource Impact

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.

Attachments

Exhibit 1 – Contract Agreement with The Corradino Group, Inc.

Exhibit 2 – Contract Agreement with Calvin, Giordano & Associates, Inc.

for-4

Resource Impact

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 funding.

Attachment

Exhibit 1 – First Extension and Amendment to Agreement with Keith and Schnars, P.A.

Prepared By: Rick Andrews, Procurement Specialist II
Carrie Keohane, Administrative Assistant I

Department Director: Albert J. Carbon, P.E. Public Works



CITY OF FORT LAUDERDALE
City Commission Agenda Memo

12-2335

Per-5

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: Motion to approve the purchase of IBM Informix support renewal and licenses – Invitation to Bid 733-11085 - \$53,439.68

Recommendation

It is recommended that the City Commission approve the purchase of IBM Informix support renewal and licenses. This purchase will be made from Dataskill, Inc. for a total cost of \$53,439.68, in accordance to Dataskill Inc.'s response to the Invitation to Bid (ITB) 733-11085.

Background

Many of the City's applications utilize the Informix Database Management System (Utility Billing, Code Enforcement, Business Tax Licenses, Permitting, Alarm Billing, Fire Safety Inspections, Police Overtime Records, etc.). These applications incorporate Informix to store and maintain all of the information (data) associated with their computer programs.

Resource Impact

There is a fiscal impact to the City in the amount of \$53,439.68.

FUNDS AVAILABILITY LOCATION:

FISCAL		SUB				SUB		AMOUNT
YEAR	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	
2013	581	01	CENTRAL SVS	ITS050101	INFRASTRUCTURE AND OPERATIONS	3401	COMPUTER MAINT	49,080.80
2013	581	01	CENTRAL SVS	ITS070101	POLICE ITS	3401	COMPUTER MAINT	4,358.88
							TOTAL	53,439.68

Attachment

Exhibit 1 – Bid Tabulation 733-11085

PUR-6

Resource Impact

There is a fiscal impact to the City in the estimated annual amount of \$270,030.

FUNDS AVAILABILITY LOCATION:

SUB					SUB			
FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBOBJECT NAME	AMOUNT
2013	450	01	Water & Sewer	PBS704135	Pipeyard Inventory	5401	Purchases	\$270,030.00
TOTAL								\$270,030.00

Attachment

Exhibit 1 Reverse Auction Tabulation 432-11077

Prepared By: Robert McKenney, Procurement Specialist II
Carrie Keohane, Administrative Assistant I

Department Director: Albert J. Carbon, P.E., Public Works



CITY OF FORT LAUDERDALE
City Commission Agenda Memo

PUR-7

12-2347

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: Motion to approve an increase in the contract value for non-contracted service and repairs for City vehicles and fleet related equipment - Contract 505-10495 - \$700,000

Recommendation

It is recommended that the City Commission approve an increase in the contract value of an additional \$700,000 to the contracted amount of \$5,415,259 for a total of \$6,115,259, which is the budgeted amount for FY 2013 Fleet Maintenance Services for the contracted and non-contracted service and repairs for City vehicles and fleet related equipment.

Background

First Vehicle Services, Inc. is the contractor that provides the maintenance and repairs for all City vehicles and fleet related equipment under the terms of Contract 505-10495 approved by Commission on July 7, 2010, Pur-8. The amount of this contract for FY 2013 is \$5,415,259. Because the contract allows for non-contracted services and repairs, an additional \$700,000 was budgeted to cover those costs but not approved for contract award. The total amount of the maintenance and repair budget for FY 2013 is \$6,115,259; approved by Commission on September 18, 2012, Item Budget Agenda-6, Commission Agenda Memo 12-2162.

Resource Impact

There is a fiscal impact to the City in the amount of \$700,000.

FY	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUB OBJECT NAME	AMOUNT
2013	583	01	VEHICLE RENTAL	PBS580101	FLEET SERVICES	3240	MGMT/OPER SERV	\$700,000.00
TOTAL								\$700,000.00

discrepancy was also corrected to adhere to the bid requirements. Lanzo agreed to both corrections. This resulted in the low bid being further reduced.

An official letter of protest was received from the third apparent low bidder, Insituform Technologies, LLC. The protest states in part that "the City should reject Lanzo's bid submission as non-responsive, as well as the second bidder Ric-Man Construction, Inc. (Ric-Man) and rebid the project." Their statement regarding Lanzo's bid is based upon Lanzo quoting an amount higher than the 5% of schedule A value, as indicated in the bid specifications, for their mobilization/demobilization. They state in their letter that "It is Insituform's belief that the City cannot "waive" Lanzo's blatant disregard for the bid requirements. Similarly, the City cannot allow Lanzo to "amend" its bid to bring its mobilization/demobilization costs within the 5% threshold, for that would give Lanzo a competitive advantage over the rest of the bidders." Regarding the second low bidder, Ric-Man Construction, Inc., Insituform is concerned that they "may not be able to establish that it can meet the CIPP (cured-in-place-pipe) experience requirements in the bid documents." A copy of the bid protest as well as staff's response is attached as Exhibits 3 and 4.

It is staff's position that the City allowing Lanzo to correct their mobilization/demobilization price to be in accordance with our specifications does not unfairly benefit Lanzo nor unfairly disadvantage other bidders. Staff is requesting approval to accept Lanzo's bid revisions and award the contract to Lanzo Lining Services, Inc.-Florida.

Resource Impact

There is a fiscal impact to the City in the amount of \$2,063,180.05 for the contract and associated engineering fees.

FUNDS AVAILABILITY LOCATION:

FISCAL YEAR	SUB FUN D	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
2013	454	01	WATER & SEWER GEN CAPITAL PROJECTS	p11577.454	WW CONVEYANE SYS SEWER BASIN A-21	6599	CONSTRUCTION	2,063,180.05
TOTAL								2,063,180.05

Attachment(s)

- Exhibit 1 - Bid Tabulation 223-11052 Original
- Exhibit 2 - Bid Tabulation 223-11052 Revised
- Exhibit 3 - Protest letter from Insituform Technologies, LLC
- Exhibit 4 - Staff's response to Protest Letter.

Prepared By: James T. Hemphill, Senior Procurement Specialist
Carrie Keohane, Administrative Assistant I

Department Director: Albert J. Carbon, P.E., Public Works

Pr-9

This contractor has worked for the City in the past with satisfactory results and is currently the City's annual bridge repair contractor.

Resource Impact

There is a fiscal impact to the City in the amount of \$801,801; \$685,300 for the contract and \$116,501 for estimated engineering fees of seventeen percent of project costs. Funding is available in the following funding sources:

FUNDS AVAILABILITY LOCATION:

FISCAL YEAR	SUB FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
2013	343	01	SPECIAL OBLIGATION CONSTRUCTION 2008B	P11827.343	SEAWALL REPLACEMENT ALONG NEW RIVER	6599	CONSTRUCTION	798,017.00
2013	344	01	EXCISE TAX BOND CONSTRUCTION 1998C	P11827.344	SEAWALL REPLACEMENT ALONG NEW RIVER	6599	CONSTRUCTION	3,784.00
TOTAL								801,801.00

Attachment

Exhibit 1 - Bid Tabulation 223-11047

Prepared By: James T. Hemphill, Senior Procurement Specialist
Carrie Keohane, Administrative Assistant I

Department Director: Albert J. Carbon, P.E., Public Works



CITY OF FORT LAUDERDALE
City Commission Agenda Memo

PUR 10
12-2375

TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: November 6, 2012

TITLE: Motion to approve a proprietary software upgrade to the Intelligence Lead Policing (ILP) Unit Contract - \$97,046

Recommendation

It is recommended that the City Commission approve the purchase of a proprietary software upgrade to the Intelligence Lead Policing (ILP) Unit Contract, in substantially the form attached, from Intergraph Corporation in the amount of \$97,046.

Background

The Police Department has implemented an Intelligence Lead Policing Unit (ILP) to provide analysis driven decision making for deciding priorities, resource allocations and focuses on crime groups or individuals. The ILP Unit is using the Law Enforcement Trust funds to purchase software that will be used for daily crime analysis, targeting areas or individuals based on intelligence reports and various other law enforcement information sources. The Intergraph BAIR (Behavioral Analysis & Intelligence Resources) project will use information from the Police Department's record management system for analysis and intelligence. Included in the ILP project is an internal portal for disseminating ILP efforts.

The Business Intelligence for ILP is an upgrade to the Intergraph Corporation, Security, Government & Infrastructure (SG&I) Division, Huntsville, AL, current Computer Aided Dispatch (911) and Records Management System.

Resource Impact

There is a fiscal impact to the City in the amount of \$97,046.

FUNDS AVAILABILITY LOCATION:

FISCAL YEAR	SUB FUND	FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2013	107	01	DEA CONFISCATED PROPERTY	POL080101	JUSTICE DEPT TASK FORCE	6405	COMPUTER SOFTWARE	97,046.00
TOTAL								97,046.00

PUR-11

The total cost of this service is based on a unit charge per device account. The City utilizes Verizon services via Contract DMS-1011-008C, which was competitively bid by the State of Florida.

Resource Impact

There is a fiscal impact to the City in the amount of \$379,568.

FUNDS AVAILABILITY LOCATION:

		SUB				SUB		AMOUNT
FY	FUND	UN	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	
2013	001	01	GENERAL FUND	AUD010101	CITY AUDITOR	3628	TELEPHONE/CABLE TV	\$ 492.00
2013	001	01	GENERAL FUND	DSD010101	URBAN DESIGN & DEVELOPMENT	3628	TELEPHONE/CABLE TV	\$ 1,476.00
2013	140	01	BUILDING PERMITS	DSD034002	BUILDING PERMITS	3628	TELEPHONE/CABLE TV	\$ 14,268.00
2013	001	01	GENERAL FUND	DSD040101	COMMUNITY INSPECTIONS	3628	TELEPHONE/CABLE TV	\$ 9,348.00
2013	001	01	GENERAL FUND	FIR010101	FIRE-RESCUE ADMIN	3628	TELEPHONE/CABLE TV	\$ 2,460.00
2013	001	01	GENERAL FUND	FIR010401	FIRE PREVENTION	3628	TELEPHONE/CABLE TV	\$ 5,904.00
2013	001	01	GENERAL FUND	FIR030101	FIRE RESCUE SUPPORT	3628	TELEPHONE/CABLE TV	\$ 34,440.00
2013	581	01	CENTRAL SERVICES	ITS020101	RADIO COMMUNICATIONS	3628	TELEPHONE/CABLE TV	\$ 984.00
2013	581	01	CENTRAL SERVICES	ITS020102	VOICE/DATA COMMUNICATIONS	3628	TELEPHONE/CABLE TV	\$ 26,076.00
2013	001	01	GENERAL FUND	PBS040101	ENGINEERING ADMIN	3628	TELEPHONE/CABLE TV	\$ 492.00
2013	001	01	GENERAL FUND	PBS040202	ENGINEERING/RIGHT OF WAY	3628	TELEPHONE/CABLE TV	\$ 984.00
2013	001	01	GENERAL FUND	PBS040601	ENGINEERING/FACILITIES	3628	TELEPHONE/CABLE TV	\$ 3,444.00
2013	450	01	WATER AND SEWER	PBS060101	UTILITIES ENGINEERING OPER	3628	TELEPHONE/CABLE TV	\$ 1,476.00
2013	583	01	VEHICLE RENTAL	PBS580101	FLEET SERVICES	3628	TELEPHONE/CABLE TV	\$ 492.00
2013	450	01	WATER AND SEWER	PBS660602	PUMP STATION MAINT.	3628	TELEPHONE/CABLE TV	\$ 42,804.00
2013	001	01	GENERAL FUND	PKR010101	PARKS & REC ADMIN SUPPORT	3628	TELEPHONE/CABLE TV	\$ 1,476.00
2013	001	01	GENERAL FUND	PKR070501	FACILITY MAINT SUPPORT	3628	TELEPHONE/CABLE TV	\$ 492.00
2013	409	01	SANITATION	PKR080601	CODE MAINTENANCE	3628	TELEPHONE/CABLE TV	\$ 984.00
2013	001	01	GENERAL FUND	POL020208	POLICE FINANCE ADMIN	3299	OTHER SERVICES	\$ 230,000.00
2013	461	01	PARKING SYSTEM	TAM020107	PARKING ENFORCEMENT	3628	TELEPHONE/CABLE TV	\$ 984.00
2013	468	01	AIRPORT	TAM070101	EXECUTIVE AIRPORT	3628	TELEPHONE/CABLE TV	\$ 492.00
TOTAL								379,568.00

Prepared By: Richard Ewell, Procurement Specialist II
Carrie Keohane, Administrative Assistant I

Department Director: Mike Maier, Information Technology Services

PUR-12

maintenance of catch basins at no additional cost to the City. On August 8, 2012 Broward County issued a letter stating that at this time, there are no licensing requirements for this service. Tripp Scott also took exception to the second low bidder.

The Deputy Director of Finance responded to Tripp Scott and denied the protest because the low bidder is in compliance with all of the City's requirements.

On September 18, 2012 the City Commission voted to defer this award until October 2, 2012 because the protesting vendor was not able to attend the meeting.

Resource Impact

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

FUNDS AVAILABILITY LOCATION:

SUB						SUB	SUBOBJECT	AMOUNT
FY	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	NAME	
2013	470	01	STORMWATER OPERATIONS	PBS660502	STORMWATER	3407	EQUIP REP & MAINT	69,650.00
TOTAL								69,650.00

Attachment

Exhibit 1 – Bid Tabulation 423-11009

Exhibit 2 – Protest letter

Exhibit 3 – Protest response letter

Exhibit 4 – Broward County licensing requirement letter

Prepared By: Robert McKenney, Procurement Specialist II
Carrie Keohane, Administrative Assistant I

Department Director: Albert J. Carbon, P.E., Public Works



original
PUR 12

Stephanie J. Toothaker
Direct Dial: 954.760.2905
Email: sjt@trippscott.com

JUN 26 12 4:55PM

June 26, 2012

VIA Hand Delivery and E-Mail

kbuffington@fortlauderdale.gov

rmckenney@fortlauderdale.gov

Kirk Buffington

Mr. Bob McKenney

Procurement Specialist II

City of Fort Lauderdale

Fort Lauderdale, Florida 33351-6704

***Re: Formal Bid Protest on behalf of F.A. Johnson to
423-11099 Storm Structure Service Maintenance (Annual Contract)
("Bid")***

Dear Mr. Buffington and Mr. McKenney:

Please accept this formal bid protest which is being submitted on behalf of F.A. Johnson, pursuant to Florida Statute 120.57(3)(b) and City of Fort Lauderdale Code Section 2-199.1. Mr. Peter Cameron of F.A. Johnson previously notified you via e-mail that a formal protest to the City's Notice of Intent to Award the Bid would be forthcoming and your office confirmed that the deadline to protest was Tuesday, June 26, 2012. Enclosed please find the required Protest Application Fee of \$200.00 payable to the City of Fort Lauderdale.

On June 19, 2012, the City of Fort Lauderdale posted its intent to award Bid 423-11099 ("Bid") to A & A Drainage & Vac Services, Inc. ("A&A") F.A. Johnson submitted a timely bid in response to the City's Invitation to Bid. F.A. Johnson was listed as the third highest responsible bidder, however the first and second ranked bidders are not qualified to perform the services requested by the Bid.

Page 6, Part I "Information Special Conditions" provides in Section 05: "Eligibility: To be eligible for award of a contract in response to this solicitation, the Contractor must demonstrate that they have successfully completed services, as specified in the Technical Specifications / Scope of Services section of this solicitation are normally and routinely engaged in performing such services, and are properly and legally licensed to perform such work. In

110 Southeast Sixth Street, Fifteenth Floor • Fort Lauderdale, Florida 33301
632738v1 970245.0009 Post Office Box 14245 • Fort Lauderdale, Florida 33302
Tel 954.525.7500 • Fax 954.761.8475 • www.trippscott.com

Fort Lauderdale • Tallahassee

EXHIBIT 2
12-2396
Page 1 of 3

PUR-12

addition, the Contractor must have no conflict of interest with regard to any other work performed by the Contractor for the City of Fort Lauderdale. Have no violations in the past three years. Have a minimum of six employees. Own a minimum of three permitted vacuum vehicles that can perform the bided activities. Must operate within the tri-County area. (Dade, Broward and Palm Beach)."

We do not believe that A&A is properly and legally licensed to perform the necessary work. As you are aware, the Construction Industry Licensing Board (CILB) certifies contractors in the State of Florida. We have performed a search for a license issued to A&A and there is no contractor's license issued to this company. www.myfloridalicense.com is a State of Florida website where this check can be performed. We have also performed a search on the Broward County website, www.broward.org, and A&A does not appear to have a local contractor's license. As such, we do not believe that A&A has the proper license to perform this service.

We also do not believe that A&A owns a minimum of three permitted vacuum vehicles as required by the Bid. Licenses to operate a vacuum vehicle are issued by Broward County. We have searched Broward County records and determined that at time of bid opening, A&A only had two licensed trucks, not the three required by the Bid. More specifically, Truck #1 is DPEP License #6210 and Truck #2 is DPEP License #6211. An online search can be performed at www.dpep.broward.org/ENVIROS.

Similarly, the second ranked bidder Envirowaste Services Group, Inc. ("ESG"), is also not qualified to perform the services required by the Bid. Specifically, ESG has been cited by Miami-Dade County for multiple violations within the last three years. Copies of various violations are attached for your reference. Pursuant to Page 6, Part I, Section 05 a bidder is disqualified if it has received any violations within the past three years.

For the foregoing reasons, we believe that the City's decision to award the Bid to A&A was in error because A&A's bid proposal failed to conform in all material aspects to the Bid. Similarly ESG's bid proposal did not conform to the Bid specifications. Both A&A's and ESG's bid proposals were in clear violation of the City's Bid and each contained material deviations from the Bid's requirements. *See Fla. Stat. 287.012 (25)* (defining a responsive bid as a bid, or proposal submitted by a responsive and responsible vendor that conforms in all material respects to the solicitation); *Intercontinental Properties, Inc. v. State Dept. of Health and Rehabilitative Services*, 605 So.2d 380 (Fla. 3d DCA 1992) (holding that a responsive bid means that the bid is submitted on the correct forms and contains all required information, signatures and notarization). Consequently, as a result of A&A's and ESG's bid proposal disqualifications, F.A. Johnson should have been awarded the contract as the lowest **responsible** bidder.

It is a well-established tenet of Florida law that "[c]ompetitive bidding in the granting of municipal contracts is employed for the protection of the public to secure by competition among bidders, the best results at the lowest price, and to forestall fraud, favoritism and corruption in the making of contracts." *Armco Drainage & Metal Products, Inc. v. Pinellas County*, 137 So.2d 234, 235 (Fla. 2d DCA 1962). This ensures not only that the bid process is fair and equal to all bidders, but it secures public improvements at the lowest reasonable cost to the taxpayer. *Harris v. School Bd. Of Duval County*, 921 So.2d 725, 736 (Fla. 1st DCA 2006); *see also Central*

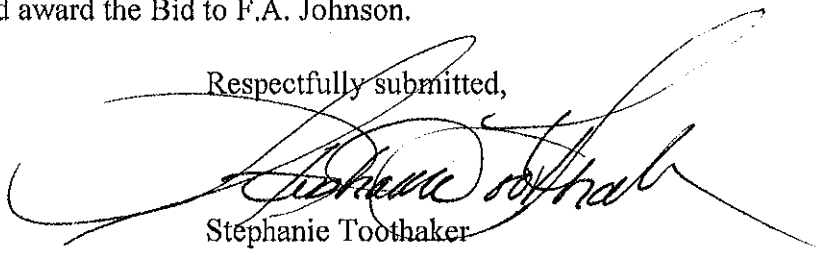
Apr 12

Florida Equipment Rental of Dade County, Inc. v. Lowell Dunn Co., 586 So.2d 1171 (Fla. 3d DCA 1991) (noting that fraud in the bid process subjects cancellation of the award to a successful bidder). Consequently, as a result of A&A's misrepresentations and ESG's violations, F.A. Johnson respectfully requests that it be awarded the contract for the Bid.

Finally, A&A bid "0" on two items in its bid proposal. F.A. Johnson believes a bidder's zero dollar bid for an item is equivalent to no bid at all and renders the entire bid nonconforming. See *Harry Pepper & Associates, Inc. v. The City of Cape Coral*, 352 So.2d 1190 (Fla. 2d DCA 1977) (holding that deviations in a bid on a public project is sufficiently material to destroy its competitive character if the variation affects the amount of the bid by giving the bidder a benefit or advantage not enjoyed by other bidders).

Accordingly, for the reasons outlined above, F.A. Johnson requests that the City reject A&A's and ESG's bid proposals and award the Bid to F.A. Johnson.

Respectfully submitted,



Stephanie Toothaker
For the Firm

NOT RECEIVED
AT MEETING



LSN GOVERNMENT AFFAIRS
Local * State * National

11-6-12 RUK-12

CITY COMMISSION

NOV 6 4:06 PM

November 2, 2012

The Honorable Mayor John P. "Jack" Seiler
The Honorable Vice Mayor Charlotte Rodstrom
The Honorable Bobby DuBose
The Honorable Bruce Roberts
The Honorable Romney Rogers
City Hall
100 North Andrews Avenue
Fort Lauderdale, FL 33301

**Re: One-Year Contract for the Maintenance of City Owned Stormwater
Structures for Utility Operations**

Dear Mayor Seiler, Vice Mayor Rodstrom, Commissioner DuBose, Commissioner Roberts and Commissioner Rogers:

Our firm represents A&A Drainage ("A&A") the successful bidder for the *One-Year Contract for the Maintenance of City Owned Stormwater Structures for Utility Operations* for the City of Fort Lauderdale as awarded on October 2, 2012. We are disappointed to see the continuing effort of a losing bidder, FA Johnson, and their misguided accusations attacking our client's reputation and business. With a strong staff recommendation, the lowest hard bid price and a majority vote of the City Commission to award this bid to A&A, we thought this matter was finalized. A&A is currently performing maintenance work for the City and City staff appears to be satisfied with the service.

There is no legal basis to terminate the contract between the City and A&A. We would be remiss, however, if we did not comment on the issues raised by FA Johnson.

PUR-12

Price: \$179,790.00 Difference in Pricing

The low price provided in the sealed bid proffered by A&A drainage was \$69,650.00. The third lowest price provided by FA Johnson in its sealed bid was \$249,440.00, a price differential of \$179,790.00. Once A&A was deemed to be responsive and the apparent low bidder, FA Johnson lost any right to lower its original bid, as a matter of law, because FA Johnson was not the apparent low bidder. Under State law, the apparent low bidder can voluntarily reduce its bid price. Other bidders, for obvious reasons, cannot do so. Therefore, at present the FA Johnson price is its original sealed bid quoted price of \$249,440.00, while A&A's bid is \$69,650.00 or \$179,790.00 lower than FA Johnson's bid. A & A is clearly the lowest responsive bid.

Alleged Notices of Violation

At the Commission meeting on October 16th and AFTER the award of the contract, the FA Johnson lobbyist claimed that A&A had pending Notices of Violations with Broward County. These violations were actually filed against A&A by FA Johnson in an attempt to have A&A found nonresponsive AFTER the contract had been awarded. These charges are frivolous in nature, will be dismissed, and are an audacious and unsavory tactic by a losing bidder.

As a matter of law, the timing of these charges brought against A&A does not make A&A nonresponsive to the solicitation. To consider them as relevant would be incorrect and a dangerous decision that would open the door to future losing vendors filing frivolous complaints against first ranked firms in an effort to overturn awards.

This procurement has now cost the City of Fort Lauderdale valuable time and resources which could be expended on more important matters than indulging the continual protests, and false accusations of a firm whose base bid is 2.5 times higher than A&A. We urge you to not reconsider this action and to stick with the initial vote and Staff's recommendation to award this contract to the lowest responsive and responsible bidder: A&A Drainage. Thank you for your consideration.



ACTION TRUCK AND EQUIPMENT USED TRUCKS

Tel: 786-419-3447 Tel: 305-636-5333

Fax: 305-638-8002

2025 N.W. 36 Street • Miami, FL 33142

STOCK No. 3/17/12
No. de STOCK 3/17/12
DATE RUCAN
FECHA
SALESMAN
VENDEDOR

RETAIL BUYER'S ORDER
ORDEN DE VENTA AL DETALLE

PURCHASER COMPRADOR <u>AFA DRAWING</u>	PHONE TELÉFONO <u>954-680-0294</u>
ADDRESS DIRECCION <u>13846 NW 14 ST</u>	CITY CIUDAD <u>Pembroke Pines</u>
ENTER MY OFFER FOR JUNE 1997 ENTRE MI OFERTA POR JUNIO 1997	TYPE TIPO <u>Van - Truck</u>
I.D. No. No. de IDENTIFICACION <u>1F-D2-W-9689-VVA-39237</u>	COLOR <u>WHITE</u>
MAKE MARCA <u>Ford F-Series</u>	
	BASE PRICE PRECIO BASICO <u>76000.00</u>

SOLD AS IS
NO WARRANTY
NO GUARANTEE

BD.
LD.

Deposit

LIMITED WARRANTY

All cars sold or used are subject to the Magnuson-Moss Act and the merchandise is under limited Warranty. The are no Warranty expressed or implied on used cars sold by Action Truck & Equip. except the following used car warranty:

- 1) Automatic transmission, motor & rear end 50/50 30 days after the delivery date.
- 2) No warranty applies to the rest of the car in any way.
- 3) To make full use of our Warranty, the buyer must bring the car at his own expense to our shop located at 2025 N.W. 36 St. Miami, Florida 33142.
- 4) We are not responsible for any repair made by customer in any other place than our shop.

Todos los carros vendidos o usados están sujetos al Acta Magnuson-Moss y toda la mercancía está sujeta una Garantía limitada.
NO hay Garantía expresada o implícita en carros usados vendidos por Action Truck & Equip. exceptuando esta Garantía para carros usados:

- 1) Transmisión Automática, motor y diferencial 50% 0 por 30 días después de la fecha de entrega.
- 2) Ninguna otra Garantía se le aplica al resto del carro en forma alguna.
- 3) Para hacer uso total de nuestra Garantía, el comprador deberá el carro a su propio riesgo y como a nuestro taller, ubicado en 2025 N.W. 36 St. Miami, FL 33142.
- 4) No somos responsables por cualquier reparación hecha por el cliente en otro taller que no sea el nuestro.

BUYER

Action Truck and Equipment

On a Credit Sale, additional charges will be made by the Finance Department.

Toda venta a crédito tendrá un cargo adicional de la Dpto. de Finanzas.

YEAR AÑO	MAKE MARCA	MODEL MODELO
I.D. No. No. de IDENTIFICACION		
BALANCE DUE TO DEBE BALANCE A		
SPECIAL NOTES NOTAS ESPECIALES		
TIME BALANCE IN A PAGAR BALANCE EN		
BEGINNING COMENZANDO		
MONTHLY PAYMENTS MENSUALIDADES DE \$		

TOTAL INCLUDING ACCESSORIES	76000.00
TOTAL INCLUIDOS ACCESORIOS	
DESTROYED CASH ADVANCE	
MENOS CREDITO POR CASH AVANADO	
CASH DIFFERENCE	2000.00
DIFERENCIA	
DEALER FEE	\$175.00
AMOUNT TAXABLE	
TOTAL APPLICABLE AMOUNTS	76000.00
TOTAL APLICABLE A MONEDAS	
MAS IMPUESTOS POR VENTA	\$60.00
PLUS TAX	
GASTOS DE INVENTARIO	
PLUS USED CASH ADVANCE	
DEBE EN CASH AVANADO	
CASH DIFFERENCE	
PAGO CASH AVANADO	
UNPAID BALANCE OF CASH ADVANCE	
BALANCE DEL CASH AVANADO POR PAGAR	78560.00

For and in consideration of the sum of \$ _____
which you have this day received to my account, I do hereby certify, sell and deliver unto you and your heirs and assigns forever.
I warrant that I am the owner of the above described vehicle and that I have a good title to said vehicle and that I have no other interest in said vehicle.
I warrant that I have no other interest in said vehicle and that I have a good title to said vehicle and that I have no other interest in said vehicle.
For and in consideration of the sum of \$ _____
I do hereby certify, sell and deliver unto you and your heirs and assigns forever.
I warrant that I am the owner of the above described vehicle and that I have a good title to said vehicle and that I have no other interest in said vehicle.
I warrant that I have no other interest in said vehicle and that I have a good title to said vehicle and that I have no other interest in said vehicle.

On a cash transaction this offer is not valid unless signed and notarized by Dealer.
On a credit transaction the merchandise will be sold on credit and the transaction is not consummated until all amounts in writing by Dealer and a responsible Bank of Florida Company and
(3) all disclosures required by the Federal Consumer Credit Protection Act (Truth in Lending Act) have been given and (4) buyer and Dealer have signed an installment Sales Contract.

En una transacción de dinero efectivo, esta oferta no será válida en forma alguna a menos que sea firmada y notariada por el Dealer.
En una transacción de crédito, la oferta del comprador no será válida y la transacción no consumará hasta que el, sea aprobado por escrito por el Dealer y un Banco o
Compañía de Finanzas responsable y (3) todos los requisitos requeridos por el Acta Federal de la Protección de Crédito al Consumidor (Acta de Veracidad Prestatario) haya
sido dada y (4) el Dealer y comprador firmen un Contrato de Financiamiento.


WHITE / ORIGINAL
YELLOW / SELLER'S COPY
PINK / BANK'S COPY
BUYER SIGNATURE
FIRMA DEL COMPRADOR
ACCEPTED
ACEPTADO
DEALER
PHONE
TELÉFONO
BY
POR

10/26/12

LSN Partners Mail - Fwd: Work status

PUR-12

A & A Drainage
(954) 680-0294

 **A&A.docx**
14K

C IT-3
NOV 6, 2012

DIVISION 3. POLICE AND FIREFIGHTERS RETIREMENT SYSTEM

Sec. 20-134. Disability procedures.

(a) Medical board. The Board shall designate a medical board to be composed of three (3) physicians who shall arrange for and pass upon all medical examinations required under the provisions of this division, shall investigate all essential statements or certificates made by or on behalf of a Member in connection with an application for disability or retirement and shall report in writing to the Board its conclusions and recommendations upon all matters referred to it. The payment for such services shall be determined by the Board.

(b) Determination and review of disability. The status of each service and nonservice incurred disability shall be determined initially and reviewed periodically pursuant to uniform procedures established by the Board; the Board shall take into full consideration the report of the medical board as regards all disability cases.

(c) Exclusions for disability and death. No Member shall be granted a disability benefit, pursuant to section 20-129(c)(1), 20-129(c)(2) or 20-129(c)(5), nor shall any pre-retirement death benefits pursuant to section 20-129(d)(1.1) or 20-129(d)(2.1) be payable on behalf of any Member, upon a showing to the satisfaction of the Board of the following:

(1) That disability or death resulted from an intentionally self-inflicted injury within the first two (2) years of employment. The exclusion set forth herein shall nevertheless apply if disability or death occurs beyond such two-year period as the result of an injury that was intentionally self-inflicted within the first two (2) years of employment;

(2) That alcoholic beverages, narcotics or drugs were the cause of disability or death, and disability or death occurred as a direct result of the habitual intentional ingestion of alcoholic beverages, narcotics or drugs without an intervening or contributing cause;

(3) That disability or death resulted from unlawful participation or unlawful involvement in riots, insurrection or assembly;

(4) That disability or death resulted from participation or involvement in the commission of a felony as defined by the laws of the State of Florida or the United States of America; or

(5) That disability or death resulted from, or is an aggravation or recurrence of, a preexisting condition.

The provisions of this subsection shall apply to both service and nonservice incurred death or disability.

(d) Recovery from disability. The status of each service and nonservice incurred disability under sections 20-129(c)(1), 20-129(c)(2) or 20-129(c)(5) shall be determined initially and reviewed periodically, as determined by the Board, pursuant to uniform procedures established by the Board. In the event a Member who has retired on a pension on account of permanent incapacity regains his full health and is shown to be physically able to perform his duties in the police department or fire department in the case of service connected disability, and/or any other employment in the case of nonservice connected disability, the Board shall require the said Member to resume his position in the respective department and discontinue the pension.

(Code 1953, § 31-20; Ord. No. C-72-94, § 3, 12-5-72; Ord. No. C-73-3, § 12, 1-2-73; Ord. No. C-76-26, § 2, 7-20-76; Ord. No. C-76-98, § 2, 10-19-76; Ord. No. C-77-60, § 1, 6-21-77; Ord. No. C-77-135, § 1, 9-20-77; Ord. No. C-80-18, § 3, 3-4-80; Ord. No. C-81-117, § 4, 3-2-82; Ord. No. C-00-34, § 1, 7-18-00)

75%, 66-2/3 and 50% Joint & Survivor: This option provides a monthly payment to you as long as both you and your beneficiary are living. After the death of either you or your beneficiary, a reduced monthly will continue for the life of the remaining person.

*These options provide no benefits to dependent children unless chosen specifically as the beneficiary. The Joint & Survivor benefits are based on the beneficiary named and are payable only to this beneficiary. If you wish to change your beneficiary at any time, the current beneficiary must be living and new amounts will be recalculated for the new beneficiary chosen.

*A DROP participant shall not be eligible for disability benefits offered under this Plan.

SERVICE INCURRED DISABILITY

If you suffer an injury or illness, which is determined to be service-connected, and the injury or illness either physically or mentally prevents you from performing the regular and continuous duties of your job with the City, you may be eligible for disability benefits.

The Board approves or denies claims for disability benefits based on the facts in the situation and evidence provided by a medical board consisting of 3 or more doctors selected by the Board.

Service incurred disability benefits are equal to 65% of your monthly earnings, beginning on the 91st day you are off the job. If you receive Workers Compensation, your pension may be reduced to the extent allowed by law. During the period of a service-incurred disability Firefighters do not contribute to the Plan.

Disability benefits will be paid until your death, your recovery or you become eligible for retirement benefits. When you become eligible for retirement, your pension will convert to a normal retirement benefit. Retirement benefits will be computed on your earnings at date of disability and years of service, including the period of disability.

If your claim is denied, the written notice you will receive will give the specific reasons for the denial. You may ask for a formal hearing before the Board to present evidence or make statements relevant to the Board's review of its decision. You have the right to review all pertinent documents. Within 30 days following the hearing, you will receive written notice of the Board's decision.

There may be additional benefits payable under Florida Statutes and Federal Laws for Police Officers or Firefighters injured in the line of duty. These benefits are not included in this City Plan.

NON-SERVICE INCURRED DISABILITY BENEFITS

If you suffer an injury or illness, which is determined to be a non-service connected, and the injury or illness, either physically or mentally, prevents you from performing your regular and continuous duties, or any other gainful employment, you may be eligible for disability benefits.

The Board approves or denies claims for disability benefits based on the facts in the situation and evidence provided by a medical board consisting of 3 or more doctors selected by the Board.

Non-service incurred disability benefits are equal to 50% of your monthly earnings, beginning on the 91st day you are off the job. If you receive Social Security disability benefits, your monthly pension is reduced by the amount of those benefits. During periods of approved non-service

R-1

The following amendment has been included in Code Amendment – Chapter 25, Streets and Sidewalks:

1. Section 25-129.4. - Inclusion of a fee method of reimbursement to the City of any “upfront costs” for preparation of construction plans and detailed cost estimates. Modification that the ballot process will begin at 90% completion of construction plans. Modification to the completed ballot turnaround time by the owner back to the City Clerk’s office from 6 months to 30 days. Requirement that the ballot include drawings depicting the location and dimensions of all associated above-grade structures accessory to the UULF.

The total anticipated cost of all consultant and utility design upfront costs is \$404,300 (Keith & Schnars \$222,800, FPL \$102,000, TECO gas \$7,500, AT&T \$57,000, testing services \$15,000, Comcast has not provided any design fee estimates). This equates to approximately \$454 per property within the UUPSA or \$19 per month for the 24-month repayment term. FPL has indicated a minimum 24 month design period for their proposed underground facilities.

Resource Impact

There is a fiscal impact to the City in the amount of \$404,300 for consultant and utility design upfront costs that will be handled by a budget amendment contingent upon the approval of the Public Hearing on December 4, 2012.

Attachments:

Exhibit 1 – Proposed Resolution

Exhibit 2 – Underground Utility Planning Service Area (UUPSA) Map

Prepared By: Hal G. Barnes, P.E., Assistant to the City Manager

Department Director: Albert J. Carbon, P.E., Public Works Director



City Manager's Office

CITY OF
FORT LAUDERDALE

11-6-12
R-1
REVISIONS
to CAM &
RESOLUTION
12-2384

Memorandum

Memorandum No: 12-321

Date: November 6, 2012

To: Honorable Mayor and Commissioners

From: Lee R. Feldman, ICMA-CM, City Manager

Re: November 6, 2012 – Revision to Commission Agenda Item 12-2384 (R-1)
Establish an Underground Utility Planning Service Area (UUPSA) and Schedule
Public Hearing – Undergrounding of Utility Facilities – Special Assessment Program

The Public Works Department has received design fee estimates from Comcast and is therefore requesting the following revisions to the Background and Resource Impact sections of Commission Agenda Item 12-2384 (R-1) on the November 6th agenda.

Background

The total anticipated cost of all consultant and utility design upfront costs is **\$438,532** (Keith & Schnars \$222,800, FPL \$102,000, TECO gas \$7,500, AT&T \$57,000, testing services \$15,000, Comcast **34,232**). This equates to approximately **\$492** per property within the UUPSA or **\$21** per month for the 24-month repayment term. FPL has indicated a minimum 24 month design period for their proposed underground facilities.

Resource Impact

There is a fiscal impact to the City in the amount of **\$438,532** for consultant and utility design upfront costs that will be handled by a budget amendment contingent upon the approval of the Public Hearing on December 4, 2012.

c: Stanley D. Hawthorne, Assistant City Manager
Susanne M. Torriente, Assistant City Manager
Harry A. Stewart, City Attorney
Jonda K. Joseph, City Clerk
John C. Herbst, City Auditor
Chaz Adams, Public Affairs Manager
Albert J. Carbon, P.E., Public Works Director
Hal G. Barnes, P.E., Assistant to the City Manager

2012 Nov 13 10:57 AM

NOV 13 2012

RESOLUTION NO. 12-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING AN UNDERGROUND UTILITY PLANNING SERVICE AREA ("UUPSA") FOR THE PURPOSE OF UNDERTAKING CERTAIN PLANNING ACTIVITIES FOR THE BENEFIT OF PROPERTY LOCATED WITHIN THE UUPSA WITH RESPECT TO THE UNDERGROUNDING OF OVERHEAD UTILITY LINES; CONSIDERATION OF IMPOSING A FEE FOR THE COSTS OF THE PLANNING AND CONSULTING SERVICES IN ANTICIPATION OF UNDERGROUNDING OVERHEAD UTILITY LINES WITHIN THE UUPSA; PUBLICATION AND WRITTEN NOTICE OF A PUBLIC HEARING TO CONSIDER THE PROPRIETY AND ADVISABILITY OF PROCEEDING WITH THE PLANNING ACTIVITIES ASSOCIATED WITH THE UNDERGROUNDING OF OVERHEAD UTILITY LINES WITHIN THE UUPSA AND IMPOSITION AND AMOUNT OF FEE TO BE CHARGED TO OWNERS OF PROPERTIES WITHIN THE UUPSA; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Lauderdale is considering a project involving the undergrounding of overhead utility lines pursuant to City of Fort Lauderdale Code of Ordinances, Chapter 25, Division 2 – Undergrounding; and

WHEREAS, pursuant thereto there are certain "up-front costs" anticipated by City Code Section 25-129.4 that need to be incurred prior to authorizing proceeding with the undergrounding of overhead utility lines special assessment project and it is the intent of the City Commission that the properties benefiting from the undergrounding of overhead utility lines bear the burden of these "up-front costs" through the imposition of a fee; and

WHEREAS, it is the intent of the City Commission that an Underground Utility Planning Service Area ("UUPSA") be created which will include the properties to be benefited by the conversion of overhead utility lines to underground utility lines for the purpose of holding a Public Hearing, after publication of a Notice of Public Hearing and written mail notices to the owners of properties within the UUPSA, for considering the imposition of a fee on the owners of properties within the UUPSA to be benefited by such planning activities;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission of the City of Fort Lauderdale hereby creates an Underground Utility Planning Service Area ("UUPSA") for the purpose of undertaking certain planning activities for the benefit of the properties located within the UUPSA with respect to the undergrounding of overhead utilities. The properties included within the UUPSA are identified as "hatched areas" on the attached UUPSA Plat (**Exhibit "A"**), an enlarged copy of which is on file in the Office of the City Clerk and is further available for review on the City of Fort Lauderdale's website at www.fortlauderdale.gov, listed under "Announcements." The properties within the UUPSA are those properties indicated with "hatch marks" on the attached UUPSA Plat bordering the following streets:

Mola Drive	Royal Plaza Drive
Isles of Capri Drive	Isles of Palms Drive
S.E. Bontona Avenue	Flamingo Drive
Coconut Isle	Solar Plaza Drive
Lido Drive	Sunset Drive
San Marco Drive	Solar Isle Drive
Coral Way	Riviera Isle
Poinciana Drive	Hibiscus Place
Datura Court	Idlewyld Drive
Clematis Place	Seven Isles Drive
Acacia Court	Del Mar Place
Aurelia Place	Castilla Island
Alamanda Court	Pelican Drive

Sea Island Drive

N.E. 23rd Terrace [branching off De Sota]

Barcelona Drive

Aguavista Boulevard

De Sota Drive

N.E. 26th Terrace [connecting Barcelona & Aguavista]

SECTION 2. The City Commission is considering undertaking certain planning activities for the benefit of the properties located within the UUPSA involving preparation of plans for utility designs, detailed cost estimates and consultant services in anticipation of undergrounding overhead utility lines (referred to as "up-front costs" in City Code Sec. 25-129.4) within the UUPSA. The anticipated cost of all plans preparation for utility design, detailed cost estimates, and consultant services is \$438,532.00.

SECTION 3. The City Commission shall hold a Public Hearing on December 6, 2012 at 6:00PM, or as soon thereafter as same may be heard, at their Regular Meeting at City of Fort Lauderdale City Hall, Commission Chambers, 100 North Andrews Avenue, Fort Lauderdale, Florida 33301 to consider the advisability of proceeding with the planning activities associated with the undergrounding of overhead utilities lines and the imposition of a fee on the owners of properties within the UUPSA that will benefit from such planning services and undergrounding of overhead utility lines. The amount of the fee to be considered to be imposed on the owners of properties within the UUPSA is \$492.00 per property, payable at the rate of \$21.00 per month over a twenty-four month period or until paid in full, payable as a line item on the utility billing for the property.

SECTION 4. The owners of properties within the UUPSA shall be provided with written notice of the time and place of the Public Hearing and the actions to be considered by the City Commission. Such written notice shall be mailed within fifteen (15) days of adoption of this Resolution to the owners of properties within the UUPSA at their last known address as shown on the Broward County Property Appraiser's Office website. Failure to mail or receive said written notice or notices shall not invalidate any of the proceedings herein. Proof of mailing of such written notices shall be made by affidavit of the City Clerk or Public Works Director.

SECTION 5. Pursuant to City of Fort Lauderdale Charter Section 10.03 – Public Hearings and Public Notice, the City Clerk shall publish this Resolution once a week for two (2) consecutive weeks in the official newspaper of the City, with the first publication at least twelve

(12) days before the date of such Public Hearing and second publication seven (7) days after the first publication.

SECTION 6. That all Resolutions or parts of Resolutions in conflict with this Resolution are hereby repealed.

SECTION 7. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the _____, 2012.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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close to or exceeding the real property value as determined by the Broward County Property Appraiser. During the same period that these liens have accrued the actual real property values have decreased to an amount equaling one half to one quarter of the original mortgage amount. In addition many of these properties have been vacant for much of that period because the timeframe of the foreclosure process has expanded from a typical one year to a three or more year legal process.

Proposed resolution highlights:

- All properties owned by the applicant must be free of any code violations as evidenced by a completed inspection.
- All repeat violators will not be able to participate in the program until all properties in violation are in full compliance.
- All direct City costs, and any liens including lot clearing charges, board up charges, demolition charges, civil penalties, condemnation and legal fees, shall be paid in full prior to the expiration of the Amnesty Program.
- Reductions will be offered at the following rates:
 - Residential and Non-residential Properties: 15% of the total amount owned on fines/liens, not to exceed 5% of the Just Market Value as determined by the Broward County Property Appraiser's Office for 2012.
- A monthly report will be provided to the City Commission summarizing the amnesty program results, and no later than thirty (30) days prior to the end date of the Program, staff will recommend whether or not the City Commission should consider extending the Program.

Many existing code violations will require extensive and often costly work, which may require the expertise of architects and contractors, resulting in the need to obtain and close out necessary building permits. This may result in the need for an extended amnesty program period. In addition, proper public outreach to our neighbors and the real estate and banking communities will be necessary as well as staff preparation for a successful roll out of the Program. It is for these reasons that staff recommends that this resolution be in effect for at least six (6) months, beginning in January 2013 through June 2013.

Resource Impact

As of mid-June 2012, outstanding code liens and fines are estimated to be valued at approximately \$140 million. If one-third of eligible property owners apply for lien amnesty (conservative estimate), the total value of the code liens to be considered for reductions would be approximately \$46 million. If even one-half of those liens are reduced to amounts allowable in the proposed resolution, the City could anticipate approximately \$2.5 million in return.

The resource impact is primarily logistics and staffing. It is anticipated that there will be a significant increase in administrative and inspection duties to implement and provide the appropriate services for this program. Staff will require appropriate time to 'ramp-up' the program and provide sufficient public outreach to promote the program and to ensure the

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community can begin necessary preparations for the kick-off in January 2013.

Attachment:

Exhibit 1 – Draft Resolution

Prepared By: Jeri Pryor, Administrative Assistant II

Department Director: Greg Brewton, Director, Sustainable Development

foot. New leases will be negotiated or offered for bid, with this rate per square foot as the minimum initial lease rate, including annual Consumer Price Index Adjustments, periodic fair market adjustments, and a maximum term of 30 years.

Non-Aviation Property

Four non-aviation parcels are currently available for lease on Executive Airport property. Minimum annual lease rates for non-aviation property are currently set at 10% of appraised value of the fee title determined within 90 days of the effective date of the lease. The maximum term is 50 years with up to two ten year options.

Current FAA guidelines limit non-aviation leases to 50 years with no options. FAA guidelines also state that annual lease rates should be set at 8% to 12% of appraised value.

Staff recommends that City policy be updated to reflect that minimum annual lease rates will be established based on appraisal, consistent with FAA guidelines, with periodic adjustments and a maximum lease term of 50 years. This will provide the City maximum flexibility to negotiate the best terms for individual leases within the range established by current FAA guidelines. Additionally, staff recommends that the policy be updated to allow for an appraisal within six months of the effective date of the lease in order to allow sufficient time to negotiate agreements and obtain FAA and City approval.

Real Estate Brokerage Commissions

Real estate brokerage commissions are paid only on non-aviation property. The commission is currently 4% of the appraised value of the property and is paid on the basis of one half of all amounts received by the City until the commission is paid in full.

Airport staff is currently working with the City's Economic Development staff to develop a strategy to market and develop the four remaining unimproved parcels. This plan may include procuring the services of a real estate services firm to develop a marketing plan for the properties to attract development at a national or international level.

As a result, staff recommends no changes to the City's brokerage commission policy for leases of Airport property. This item was reviewed and approved by the Aviation Advisory Board at its October 25, 2012 meeting.

Resource Impact

It is anticipated that Airport revenues will increase as a result of an increase in lease rates for Airport property as new leases are negotiated.

Attachment(s)

Exhibit 1 – Resolution #10-69

Exhibit 2 – Resolution

Prepared By: Clara Bennett, Acting Deputy Director Transportation & Mobility

Department Director: Diana Alarcon, Director Transportation & Mobility

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At its October 16, 2012 meeting, the Commission deferred this item to the November 6, 2012 meeting pending staff review of an additional crossing guard on Sistrunk Boulevard and to determine if the crossing guard contract allows for this type of expansion. The crossing guard contract allows for expanded services and, if the determination is made to add crossing guards to this location, the proposed increase requested with this ordinance will still be sufficient.

Resource Impact

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

Attachment

Exhibit 1: Ordinance

Prepared By: Brian McKelligett, Parking Services Manager

Department Director: Diana Alarcon, Transportation & Mobility Director