

City of Fort Lauderdale

City Hall
100 N. Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov



Meeting Minutes – APPROVED

Tuesday, October 15, 2013
6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor – Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
BOBBY B. DuBOSE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JONDA K. JOSEPH, City Clerk
CYNTHIA A. EVERETT, City Attorney

Meeting was called to order at 6:07 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis, Commissioner Bobby B. DuBose and Commissioner Romney Rogers

Also Present: City Manager, Lee R. Feldman; City Auditor, John Herbst; Senior Assistant City Clerk Jeff Modarelli; City Attorney, Cynthia A. Everett; Sergeant At Arms, Sergeant Todd Bunin

Vote Roll Call Order for this Meeting

Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

Invocation

Pastor Brett Opalinski, Christ Church

Pledge of Allegiance

Led by Maureen Dinnen, former Broward School Board member

Other Business

OB MOMENT OF SILENCE IN REMEMBRANCE OF THE REVEREND DR. MACK KING CARTER

Approval of MINUTES and Agenda

13-1362 APPROVAL OF MINUTES for September 3, 2013 Regular Meeting, September 12, 2013 Budget Workshop, September 12, 2013 Special Meeting and September 23, 2013 Special Meeting

Motion made by Commissioner Rogers and seconded by Commissioner Trantalis to approve the noted minutes.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PRESENTATIONS

PRES-1 13-1395 PROCLAMATION DECLARING OCTOBER 15, 2013 AS MARY CELESTE DINNEN DAY IN THE CITY OF FORT LAUDERDALE

Commissioner Rogers presented a proclamation to Mary Celeste Dinnen, honoring her for 57 years as an educator in Fort Lauderdale.

PRES-2 13-1408 RECOGNITION OF MARILYN MAMMANO - TEN YEARS OF SERVICE TO COMMUNITY APPEARANCE BOARD

Commissioner Rogers recognized Marilyn Mammano for 10 years of service to the Community Appearance Board.

PRES-3 13-1407 COMMUNITY APPEARANCE BOARD WOW AWARDS FOR DISTRICTS I AND IV

Vice-Mayor Roberts presented a WOW Award to Michael and Shelley DiCondina for beautification efforts at their home in the Coral Ridge subdivision. The Mayor recognized Community Appearance Board Chair Barbara Stern.

Commissioner Rogers presented a WOW Award to Peter and Shirley Johnson for beautification efforts at their home in the Shady Banks subdivision. The mayor recognized Community Appearance Board members Marni Canavan and Kelly Blume.

PRES-4 13-1354 PROCLAMATION DECLARING OCTOBER 17, 2013 LIGHTS ON AFTERSCHOOL DAY IN THE CITY OF FORT LAUDERDALE

Commissioner DuBose presented a proclamation for Lights On After School Day to Parks and Recreation Deputy Director Carl Williams and Community Program Supervisor Barbara Barber.

WALK ON 13-1425 PROCLAMATION DECLARING NOVEMBER 2, 2013, AS STEPPING OUT TO CURE SCLERODERMA WALK-A-THON-DAY

Commissioner DuBose presented a proclamation in recognition of National Scleroderma Day to Scleroderma Foundation Southeast Florida Chapter members Jessica Massengale, Jerry Lance and Noel Weinstock.

PRES-5 13-1393 PROCLAMATION DECLARING OCTOBER, 2013 AS LGBT HISTORY MONTH IN THE CITY OF FORT LAUDERDALE

Commissioner Trantalis presented a proclamation for Lesbian, Gay, Bisexual and Transgender History Month to Robert Boo, Executive Director of the Pride Center at Equality Park.

PRES-6 13-1394 PROCLAMATION DECLARING NOVEMBER 2, 2013 AS FLORIDA DAY OF THE DEAD IN THE CITY OF FORT LAUDERDALE

Commissioner Trantalis presented a proclamation for Florida Day of the Dead to Jim Hammond, founder of the Day of the Dead and Puppet Network.

PRES-7 13-1392 PROCLAMATION DECLARING NOVEMBER, 2013 AS PANCREATIC CANCER AWARENESS MONTH IN THE CITY OF FORT LAUDERDALE

Vice-Mayor Roberts presented a proclamation in recognition of Pancreatic Cancer Awareness Month to Ann Bywaters and Ricky Bartle, members of the Pancreatic Action Network.

WALK ON 13-1426 MIKE MORENO PRESENTATION TO MAYOR - THE AMERICAN FLAG FLOWN OVER THE BASE IN AFGHANISTAN DURING HIS DEPLOYMENT

The City Manager recognized Environmental Inspector Mike Moreno, who recently served a tour in Afghanistan as a Petty Officer First Class with the U.S. Coast Guard. Moreno presented an American flag to the City Commission.

CONSENT AGENDA

Consent Agenda

Mayor Seiler announced the procedure for consent items.

Motion made by Vice-Mayor Roberts and seconded by Commissioner Trantalis that Consent Agenda Items M-1, M-6, CR-5 and PUR-3 be pulled from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended.

Approval of the Consent Agenda

Approve the Consent Agenda

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-1 13-1337 EVENT AGREEMENTS: 1) Ultimate Athlete, 2) New Hope Fest, 3) St. Jerome Fall Festival and 4) Ocean Manor Halloween Event

Vice-Mayor Roberts noted the City occasionally receives noise complaints about the Ocean Manor Halloween Event. He wanted to ensure the City Manager takes a proactive approach on the matter.

Motion made by Vice-Mayor Roberts and seconded by Commissioner Trantalis to approve the item as recommended.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-2 13-1338 EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: 1) Novemberfest 2013, 2) Merrill Lynch Bull Run 5K, 3) Old Fashion Holiday Event, 4) Day of the Dead, 5) Tap-N-Run 4K, 6) Victoria Park Annual Halloween Block Party and 7) Veteran's Day Picnic

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-3 13-1349 PROPERTY INSURANCE - use of negotiation method to obtain insurance premium quote

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-4 13-1303 WINTERFEST BOAT PARADE - WINTERFEST, INC. - New River/Riverwalk Dockage Facility Use Agreement

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-5 13-1411 AGREEMENT FOR LAUDERDALE LIVE MUSIC FESTIVAL with LBK Entertainment Holdings, Inc. - December 6 - 8, 2013

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-6 13-1366 SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT with Landlord 1500 NE 12 Terrace, LLC and Fieldpoint Private Bank & Trust, subject to terms and conditions - 1500-1600 Northeast 12 Terrace

Vice Mayor Roberts said he does not believe it is necessary for this type of item to come before the Commission. He preferred it be handled between the City Manager and City Attorney. There are other items that could be handled in the same fashion. Commissioner Rogers concurred. The City Attorney will review the matter and provide a recommendation.

Motion made by Vice-Mayor Roberts and seconded by Commissioner Trantalis to approve the item as recommended.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

M-7 13-1396 REVOCABLE LICENSE WITH 401 EAST LAS OLAS LLC AND THE GRILLE ON LAS OLAS, LLC - SE 5 AVENUE RIGHT-OF-WAY - installation and maintenance of an outdoor dining area

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CONSENT RESOLUTION

CR-1 13-1344 QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM - RECOMMENDING PROJECT METAL as a qualified target industry business applicant and providing local support in the amount of \$35,000 contingent upon approval by State of Florida

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CR-2 13-1370 DOWNTOWN DEVELOPMENT AUTHORITY - LEVY OF AD VALOREM TAXES - FISCAL YEAR 2014

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CR-3 13-1385 FLORIDA ATLANTIC UNIVERSITY SCHOOL OF ARCHITECTURE - authorizing City Manager to serve as a member of the Metrolab Advisory Board

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CR-4 13-1379 BUDGET AMENDMENT TO FISCAL YEAR 2014 BUDGET - APPROPRIATION - E911 Dispatch Employee/Services expenses during transition period - \$388,000

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CR-5 13-1369 CITY AUDITOR MERIT INCREASE

Commissioner Rogers suggested and there was consensus agreement to address all charter officers at the same time. Mayor Seiler suggested it be scheduled on the November 5 conference agenda and the regular meeting for a vote. Commissioner DuBose wanted flexibility afforded for a meeting date in November. Mayor Seiler asked that meetings be held with each member of the Commission individually.

Motion made by Commissioner Trantalis and seconded by Commissioner DuBose to defer the item to a date mutually agreed upon by the City Manager and City Auditor.

DEFERRED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CR-6 13-1247 INTERLOCAL AGREEMENT WITH TOWN OF DAVIE - EDUCATIONAL FACILITIES REVENUE REFUNDING BONDS, SERIES 2013B - NOVA SOUTHEASTERN UNIVERSITY PROJECT - providing for issuance of revenue refunding bonds in an amount not to exceed \$25 million

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

CR-7 13-1274 VILLAGE OF THE ARTS - Eighth Amendment to Development Agreement for Phase II project development, First Amended and Restated Fifth Amendment to Development Agreement, First Amended and Restated Seventh Amendment to Development Agreement, Third Amended and Restated Assignment of Rights and Assumption of Obligations under Development Agreement and Conditional Consent

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PURCHASING AGENDA

PUR-1 13-1033 TWO-YEAR UNIT PRICED CONTRACT FOR ADA MODIFICATIONS AND GENERAL ROW IMPROVEMENTS in the amount of \$195,000 from Sun-Up Enterprises, Inc.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-2 13-1183 ONE-YEAR CONTRACT FOR SECURITY GATE SPARE PARTS AND SERVICE in the estimated amount of \$25,185.07 from AVI Integrators, Inc. d/b/a Security 101

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-3 13-1255 TWO-YEAR CONTRACT FOR CONSULTANT SERVICES FOR AN ENTERPRISE RESOURCE PLANNING (ERP) SYSTEM in the amount of \$131,560 from Plante & Moran PLLC

Mayor Seiler noted additional attachments to Exhibit 2, marked as Exhibits A and B.

Hrabia LF Rosenthal de Chudzikiewiez, 1237 NW 4 Avenue, said he attended the conference meeting today and was concerned in general about performance of consultants. Mayor Seiler and Commissioner DuBose clarified the conference meeting discussion to Chudzikiewiez's satisfaction.

Motion made by Commissioner DuBose and seconded by Commissioner Trantalis to approve the item as recommended.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-4 13-1284 THREE, ONE-YEAR CONTRACTS FOR PURCHASE OF AGGREGATES in the estimated annual amount of \$181,766.50 from Austin Tupler Trucking, Inc., Oldcastle Southern Group, Inc. d/b/a Conrad Yelvington Distributors, Inc. and Soil Tech Distributors, Inc., and authorize City Manager to approve renewal options contingent upon approval and appropriation of funds

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-5 13-1330 TWO-YEAR CONTRACT - EXOTIC/NUISANCE VEGETATION AND DEBRIS REMOVAL SERVICES FOR PARCEL 21B, EXECUTIVE AIRPORT in estimated amount of \$70,758.02 with Milborne, LLC and contingent upon approval and appropriation of funds

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-6 13-1331 CONTRACT TERMINATION FOR CONVENIENCE WITH MUNICIPAL FLEET SERVICES, LLC D/B/A GOVERNMENT FLEET SERVICES for purchase and resale of used vehicles

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-7 13-1332 PROPRIETARY PURCHASE - HARDWARE AND SOFTWARE MAINTENANCE RENEWALS in the total amount of \$316,945.03 with Periscope Holdings, Inc. (BSO), Cogsdale Corporation (financial accounting management and budget preparation), Sungard Public Sector, Inc. (Community Plus) and Environmental Systems Research Institute Incorporated (GIS)

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-8 13-1355 CONTRACT CHANGES FOR LOCKBOX SERVICES - Intuition Systems, Inc. d/b/a Bill2Pay

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUR-9 13-1359 TWO-YEAR CONTRACT FOR AUCTIONEER SERVICES in the estimated revenue amount of \$240,000 with Rene Bates Auctioneers, Inc. and PropertyRoom.Com, Inc.

APPROVED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

RESOLUTIONS

R-1 13-1347 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS - vacancy information provided under Conference Item BD-2

Commissioner Trantalis will contact Beach Place Tower of Marriott Ownership Resorts Inc. to determine who they would like to nominate to the Beach Business Improvement District Advisory Committee.

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

- Budget Advisory Board Bryson Michael Ridgway (Commissioner DuBose)
- Community Appearance Board Duane E. Sinclair (Commissioner Rogers)
Anthony Quackenbush (Commissioner Rogers)
- Community Services Board Helen Hinton (Commissioner DuBose)
Jasmin D. Shirley (Commissioner DuBose)
- Education Advisory Board Dwight W. Berry (Mayor Seiler)
- Marine Advisory Board Jack Newton (Commissioner Trantalis)
- Northwest-Progresso-Flagler Heights Mark Mattern (Vice-Mayor Roberts)

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PUBLIC HEARINGS

PH-1 13-1413 QUASI-JUDICIAL - FIRST READING OF ORDINANCE - REAPPORTIONMENT FOR CITY COMMISSION DISTRICTS IN RELATION TO U.S. CENSUS BUREAU 2010 REPORT - DEFERRED UNTIL NOVEMBER 19, 2013

Vice-Mayor Roberts believed there will more proposals coming forward. He asked whether they should be sent to the Reapportionment Committee. Mayor Seiler questioned why they were not submitted. He emphasized the need for a submission deadline. Commissioner Trantalis said the people who submitted these alternative proposals were not involved in the process or aware of it. When he brought to their attention that they would be moved to another district, they became concerned and provided a scientific and well-stated proposal. He felt it deserves recognition. Mayor Seiler did not want to undermine the work of the committee. Commissioner DuBose said allowing one group or neighborhood to submit information could prompt others to do the same. If it is to be referred to the committee, Mayor Seiler suggested it be sent with a firm deadline for final submissions and make such an announcement. Commissioner Rogers commented that because the chair resigned, extraordinary steps would have to be taken for more proposals to be reviewed. Vice-Mayor Roberts indicated he did not realize this. Commissioner Rogers felt it is an insult to the committee to continue delaying. Moreover with the impending vacancy in District III, it is only fair for those candidates to know the district boundaries.

Motion made by Commissioner Rogers and seconded by Vice-Mayor Roberts to defer the item to November 19, 2013.

DEFERRED TO NOVEMBER 19, 2013

Aye: 4 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis and Commissioner DuBose

Nay: 1 - Commissioner Rogers

PH-2 13-1262 QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO COMMUNITY FACILITY-HOUSE OF WORSHIP (CF-H) - Case 8-Z-12

Applicant: New Mount Olive Baptist Church, Inc.

From: Residential Mid Rise Multifamily/Medium High Density District (RMM-25)

Location: Southwest corner of NW 8th Avenue and NW 4th Street

Future Land Use: Northwest Regional Activity Center

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

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

Mayor Seiler reviewed the procedure for the public hearing and opened the floor for public comment.

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

Commissioner Trantalis introduced the ordinance, which was read by title only.

PASSED FIRST READING

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PH-3 13-1263

**QUASI-JUDICIAL - FIRST READING OF ORDINANCE
REZONING TO COMMUNITY FACILITY- HOUSE OF WORSHIP
(CF-H) - Case 9-Z-12**

Applicant: New Mount Olive Baptist Church, Inc.

From: Residential Mid Rise Multifamily/Medium High Density District (RMM-25)

Location: East side of NW 8th Avenue between NW 4th Street and NW 5th Street

Future Land Use: Northwest Regional Activity Center

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.

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

Mayor Seiler opened the floor for public comment.

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

Commissioner Trantalis introduced the ordinance, which was read by title only.

PASSED FIRST READING

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PH-4 13-1264

**QUASI-JUDICIAL - FIRST READING OF ORDINANCE
REZONING TO COMMUNITY FACILITY -HOUSE OF WORSHIP
(CF-H) - Case 10-Z-12**

Applicant: New Mount Olive Baptist Church, Inc.

From: Residential Mid Rise Multifamily/Medium High Density District (RMM-25)

Location: South side of NW 5th Street between NW 9th Avenue and NW 8th Avenue

Future Land Use: Northwest Regional Activity Center

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

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

Mayor Seiler opened the floor for public comment.

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

Commissioner Trantalis introduced the ordinance, which was read by title only.

PASSED FIRST READING

Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

PH-5 13-1265

QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO COMMUNITY FACILITY-HOUSE OF WORSHIP (CF-H) - Case 11-Z-12

Applicant: New Mount Olive Baptist Church, Inc.

Location: Northwest corner of NW 3rd Avenue and NW 8th Avenue

From: Residential Mid Rise Multifamily/Medium High Density District (RMM-25)

Future Land Use: Northwest Regional Activity Center

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.

Mayor Seiler noted a correction that the location should be the northwest corner of NW 3rd Street (rather than the northwest corner of 3rd Avenue) and NW 8th Avenue.

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

Mayor Seiler opened the floor for public comment.

Attorney Hope Calhoun, representing the Applicant, thanked the Commission for their consideration and for recognizing the church's former pastor, Reverend Mack King Carter. Commissioner DuBose spoke of Reverend Carter's impact on the community and beyond, and said the plans for expansion are an example of how the church will continue carrying forward his vision.

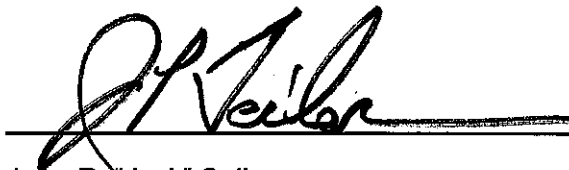
There being no other individuals wishing to speak on this matter, a **motion** was made by Commissioner Trantalis and seconded by Vice-Mayor Roberts to close the public hearing. Roll call showed: AYES: Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose, Commissioner Rogers and Mayor Seiler.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

Commissioner Trantalis introduced the ordinance, which was read by title only.

PASSED FIRST READING

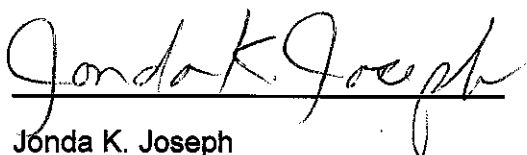
Aye: 5 - Mayor Seiler, Vice-Mayor Roberts, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Note: There being no other matters to come before the Commission, the meeting was adjourned at 7:42 p.m.



John P. "Jack" Seiler
Mayor

ATTEST:



Jonda K. Joseph
City Clerk

City of Fort Lauderdale

City Commission Regular Meeting

Agenda

Tuesday, October 15, 2013 - 6:00 PM

City Commission Chambers

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FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
BOBBY B. DuBOSE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JONDA K. JOSEPH, City Clerk
CYNTHIA A. EVERETT, City Attorney

ROLL CALL**Invocation**

Pastor Brett Opalinski, Christ Church

Pledge of Allegiance**Approval of MINUTES and Agenda**

13-1362 APPROVAL OF MINUTES for September 3, 2013 Regular Meeting, September 12, 2013 Budget Workshop, September 12, 2013 Special Meeting and September 23, 2013 Special Meeting

Attachments: DRAFT September 3, 2013 Regular Meeting minutes

DRAFT September 12, 2013 Budget Workshop minutes

DRAFT September 12, 2013 Special Meeting minutes

DRAFT September 23, 2013 Special Meeting minutes

PRESENTATIONS

- PRES-1** 13-1395 PROCLAMATION DECLARING OCTOBER 15, 2013 AS MARY CELESTE DINNEN DAY IN THE CITY OF FORT LAUDERDALE
- PRES-2** 13-1408 RECOGNITION OF MARILYN MAMMANO - TEN YEARS OF SERVICE TO COMMUNITY APPEARANCE BOARD
- PRES-3** 13-1407 COMMUNITY APPEARANCE BOARD WOW AWARDS FOR DISTRICTS I AND IV
- Attachments:** District I - WOW Award for Dicondina
District IV - WOW Award for Johnson
- PRES-4** 13-1354 PROCLAMATION DECLARING OCTOBER 17, 2013 LIGHTS ON AFTERSCHOOL DAY IN THE CITY OF FORT LAUDERDALE
- PRES-5** 13-1393 PROCLAMATION DECLARING OCTOBER, 2013 AS LGBT HISTORY MONTH IN THE CITY OF FORT LAUDERDALE
- Attachments:** Proclamation
- PRES-6** 13-1394 PROCLAMATION DECLARING NOVEMBER 2, 2013 AS FLORIDA DAY OF THE DEAD IN THE CITY OF FORT LAUDERDALE
- PRES-7** 13-1392 PROCLAMATION DECLARING NOVEMBER, 2013 AS PANCREATIC CANCER AWARENESS MONTH IN THE CITY OF FORT LAUDERDALE

CONSENT AGENDA

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

M-1 13-1337 EVENT AGREEMENTS: 1) Ultimate Athlete, 2) New Hope Fest, 3) St. Jerome Fall Festival and 4) Ocean Manor Halloween Event

Attachments: Commission Agenda Memo #13-1337.docx

Ex 1 - Ultimate Athlete app.pdf

Ex 2 - New Hope Fest app.pdf

Ex 3 - St Jerome Fall Festival app.pdf

Ex 4 - Ocean Manor Halloween Event.pdf

M-2 13-1338 EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: 1) Novemberfest 2013, 2) Merrill Lynch Bull Run 5K, 3) Old Fashion Holiday Event, 4) Day of the Dead, 5) Tap-N-Run 4K, 6) Victoria Park Annual Halloween Block Party and 7) Veteran's Day Picnic

Attachments: Commission Agenda Memo #13-1338.docx

Ex 1 - Novemberfest 2013 app.pdf

Ex 1a - NovemberFest2.pdf

Ex 2 - Merrill Lynch Bull Run app.pdf

Ex 2a - Merrill lynch bull Run Course.pdf

Ex 3 - Old Fashion Holiday Festival app.pdf

Ex 3a - Old Fashion Holiday Site Map.pdf

Ex 4 - Day of the Dead Fat Village app.pdf

Ex 4a - Day of the Dead Fat Village street closure.pdf

Ex 5 - Tap-N-Run app.pdf

Ex 5a - Tap-N-Run race route.pdf

Ex 6 - Victoria Park Halloween Party app.pdf

Ex 6a - Victoria Park Halloween.pdf

Ex 7 - Veterans Day Picnic app.pdf

Ex 7a - Veterans Day Picnic site and road closure plan.pdf

M-3 13-1349 PROPERTY INSURANCE - use of negotiation method to obtain insurance premium quote

Attachments: Commission Agenda Memo 13-1349

- M-4** 13-1303 WINTERFEST BOAT PARADE - WINTERFEST, INC. - New River/Riverwalk Dockage Facility Use Agreement
Attachments: Commission Agenda Memo #13-1303.docx
 Ex 2 - Winterfest Map.pdf
 Ex 1 - 2013 Agreement
- M-5** 13-1411 AGREEMENT FOR LAUDERDALE LIVE MUSIC FESTIVAL with LBK Entertainment Holdings, Inc. - December 6 - 8, 2013
Attachments: Commission Agenda Memo #13-1411.docx
 Ex 1 - Event Management Schedule.pdf
 EX 2 - Agreement
- M-6** 13-1366 SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT with Landlord 1500 NE 12 Terrace, LLC and Fieldpoint Private Bank & Trust, subject to terms and conditions - 1500-1600 Northeast 12 Terrace
Attachments: CAM #13-1366
 Exhibit 1 - CAM #13-1366
- M-7** 13-1396 REVOCABLE LICENSE WITH 401 EAST LAS OLAS LLC AND THE GRILLE ON LAS OLAS, LLC - SE 5 AVENUE RIGHT-OF-WAY - installation and maintenance of an outdoor dining area
Attachments: Commission Agenda Memo 13-1396
 Exhibit 1 - CAM 13-1396 Revocable License

CONSENT RESOLUTION

- CR-1** 13-1344 QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM - RECOMMENDING PROJECT METAL as a qualified target industry business applicant and providing local support in the amount of \$35,000 contingent upon approval by State of Florida
Attachments: Commission Agenda Memo 13-1344
 Exhibit 1- Resolution
- CR-2** 13-1370 DOWNTOWN DEVELOPMENT AUTHORITY - LEVY OF AD VALOREM TAXES - FISCAL YEAR 2014
Attachments: CAM 13-1370 DDA budget
 EX 1 DDA Millage and Budget Information
 EX 2 - Resolution CAM 13-1370.pdf

- CR-3** 13-1385 FLORIDA ATLANTIC UNIVERSITY SCHOOL OF ARCHITECTURE -
authorizing City Manager to serve as a member of the Metrolab Advisory
Board
Attachments: Commission Agenda Memo 13-1385
 EX 1 MetroLAB-Board invitation letter Feldman -CAM 13-1385
 EX 2 - Resolution - CAM 13-1385
- CR-4** 13-1379 BUDGET AMENDMENT TO FISCAL YEAR 2014 BUDGET -
APPROPRIATION - E911 Dispatch Employee/Services expenses during
transition period - \$388,000
Attachments: CAM 13-1379 E911 Dispatch Services
 EX 1 Resolution CAM 13-1379
- CR-5** 13-1369 CITY AUDITOR MERIT INCREASE
Attachments: CAR memo 13-1369 Annual Performance Review.docx
 Exhibit 1 - Resolution CAM 13-1369
- CR-6** 13-1247 INTERLOCAL AGREEMENT WITH TOWN OF DAVIE - EDUCATIONAL
FACILITIES REVENUE REFUNDING BONDS, SERIES 2013B - NOVA
SOUTHEASTERN UNIVERSITY PROJECT - providing for issuance of
revenue refunding bonds in an amount not to exceed \$25 million
Attachments: Commission Agenda Memo 13-1247
 EX 1 - Interlocal Agreement
 Exhibit 2 - Davie Resolution.pdf
- CR-7** 13-1274 VILLAGE OF THE ARTS - Eighth Amendment to Development
Agreement for Phase II project development, First Amended and
Restated Fifth Amendment to Development Agreement, First Amended
and Restated Seventh Amendment to Development Agreement, Third
Amended and Restated Assignment of Rights and Assumption of
Obligations under Development Agreement and Conditional Consent
Attachments: Commission Agenda Memo 13-1274
 Exhibit 1 - Developer's Request.pdf
 Exhibit 2 - Dev Req to Amend Definition of Mixed Use Dev.pdf
 Exhibit 3 - 1st Amended & Restated 5th Amend to Dev Agr
 Exhibit 4 - 1st Amended & Restated Seventh Amendment to Development Agre
 Exhibit 5 - 3rd Amended & Restated Assignment of Rights
 Exhibit 6 - 8th Amendment to Development Agreement
 Exhibit 7 - Resolution

PURCHASING AGENDA

- PUR-1** 13-1033 TWO-YEAR UNIT PRICED CONTRACT FOR ADA MODIFICATIONS AND GENERAL ROW IMPROVEMENTS in the amount of \$195,000 from Sun-Up Enterprises, Inc.
Attachments: Commission Agenda Memo 13-1033
 EX 1 - Bid Tabulation
- PUR-2** 13-1183 ONE-YEAR CONTRACT FOR SECURITY GATE SPARE PARTS AND SERVICE in the estimated amount of \$25,185.07 from AVI Integrators, Inc. d/b/a Security 101
Attachments: Commission Agenda Memo 13-1183
 EX 1 - Bid Tabulation 532-11253
- PUR-3** 13-1255 TWO-YEAR CONTRACT FOR CONSULTANT SERVICES FOR AN ENTERPRISE RESOURCE PLANNING (ERP) SYSTEM in the amount of \$131,560 from Plante & Moran PLLC
Attachments: Commission Agenda Memo 13-1255
 EX 1 - Evaluation Scoring RFP 735-11244
 EX 2 - Agreement
- PUR-4** 13-1284 THREE, ONE-YEAR CONTRACTS FOR PURCHASE OF AGGREGATES in the estimated annual amount of \$181,766.50 from Austin Tupler Trucking, Inc., Oldcastle Southern Group, Inc. d/b/a Conrad Yelvington Distributors, Inc. and Soil Tech Distributors, Inc., and authorize City Manager to approve renewal options contingent upon approval and appropriation of funds
Attachments: Commission Agenda Memo 13-1284
 EX 1 - Co-Op Bid Tabulation
- PUR-5** 13-1330 TWO-YEAR CONTRACT - EXOTIC/NUISANCE VEGETATION AND DEBRIS REMOVAL SERVICES FOR PARCEL 21B, EXECUTIVE AIRPORT in estimated amount of \$70,758.02 with Milborne, LLC and contingent upon approval and appropriation of funds
Attachments: Commission Agenda Memo 13-1330
 EX 1 - Bid Tabulation 532-11263
- PUR-6** 13-1331 CONTRACT TERMINATION FOR CONVENIENCE WITH MUNICIPAL FLEET SERVICES, LLC D/B/A GOVERNMENT FLEET SERVICES for purchase and resale of used vehicles
Attachments: Commission Agenda Memo 13-1331

PUR-7 13-1332 **PROPRIETARY PURCHASE - HARDWARE AND SOFTWARE MAINTENANCE RENEWALS** in the total amount of \$316,945.03 with Periscope Holdings, Inc. (BSO), Cogsdale Corporation (financial accounting management and budget preparation), Sungard Public Sector, Inc. (Community Plus) and Environmental Systems Research Institute Incorporated (GIS)

Attachments: Commission Agenda Memo 13-1332

PUR-8 13-1355 **CONTRACT CHANGES FOR LOCKBOX SERVICES - Intuition Systems, Inc. d/b/a Bill2Pay**

Attachments: Commission Agenda Memo 13-1355

EX 1 - Agreement

PUR-9 13-1359 **TWO-YEAR CONTRACT FOR AUCTIONEER SERVICES** in the estimated revenue amount of \$240,000 with Rene Bates Auctioneers, Inc. and PropertyRoom.Com, Inc.

Attachments: Commission Agenda Memo 13-1359

EX 1 - Bid Tabulation 535-11168

EX 2 - Final Ranking 535-11168

RESOLUTIONS

R-1 13-1347 **APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS - vacancy information provided under Conference Item BD-2**

PUBLIC HEARINGS

PH-1 13-1413 **QUASI-JUDICIAL - FIRST READING OF ORDINANCE - REAPPORTIONMENT FOR CITY COMMISSION DISTRICTS IN RELATION TO U.S. CENSUS BUREAU 2010 REPORT - DEFERRED UNTIL NOVEMBER 19, 2013**

Attachments: Commission Agenda Memo #13-1413

Exhibit 1 - Ordinance - CAM 13-1413

PH-2 13-1262 QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO
COMMUNITY FACILITY-HOUSE OF WORSHIP (CF-H) - Case 8-Z-12

Applicant: New Mount Olive Baptist Church, Inc.
From: Residential Mid Rise Multifamily/Medium High Density District
(RMM-25)
Location: Southwest corner of NW 8th Avenue and NW 4th Street
Future Land Use: Northwest Regional Activity Center

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

Attachments: Commission Agenda Memo 13-1262.doc

Exhibit 1 - Location Map.pdf

Exhibit 2 - Applicant's Narratives.pdf

Exhibit 3 - 071713 PZB Staff Report.pdf

Exhibit 4 - 071713 PZB Minutes.pdf

Exhibit 5 - 8-Z-12

PH-3 13-1263 QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO
COMMUNITY FACILITY- HOUSE OF WORSHIP (CF-H) - Case 9-Z-12

Applicant: New Mount Olive Baptist Church, Inc.
From: Residential Mid Rise Multifamily/Medium High Density District
(RMM-25)
Location: East side of NW 8th Avenue between NW 4th Street and NW
5th Street
Future Land Use: Northwest Regional Activity Center

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

Attachments: Commission Agenda Memo 13-1263.doc

Exhibit 1 - Location Map.pdf

Exhibit 2 - Applicant's Narratives.pdf

Exhibit 3 - 071713 PZB Staff Report.pdf

Exhibit 4 - 071713 PZB Minutes.pdf

Exhibit 5 - 9-Z-12

PH-4 13-1264 QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO
COMMUNITY FACILITY -HOUSE OF WORSHIP (CF-H) - Case 10-Z-12

Applicant: New Mount Olive Baptist Church, Inc.
From: Residential Mid Rise Multifamily/Medium High Density District
(RMM-25)
Location: South side of NW 5th Street between NW 9th Avenue and
NW 8th Avenue
Future Land Use: Northwest Regional Activity Center

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

Attachments: Commission Agenda Memo 13-1264.doc

Exhibit 1 - Location Map.pdf

Exhibit 2 - Applicant's Narratives.pdf

Exhibit 3 - 071713 PZB Staff Report.pdf

Exhibit 4 - 071713 PZB Minutes.pdf

Exhibit 5 - 10-Z-12

PH-5 13-1265 QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO
COMMUNITY FACILITY-HOUSE OF WORSHIP (CF-H) - Case 11-Z-12

Applicant: New Mount Olive Baptist Church, Inc.
Location: Northwest corner of NW 3rd Avenue and NW 8th Avenue
From: Residential Mid Rise Multifamily/Medium High Density District
(RMM-25)
Future Land Use: Northwest Regional Activity Center

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

Attachments: Commission Agenda Memo 13-1265.doc

Exhibit 1 - Location Map.pdf

Exhibit 2 - Applicant's Narratives.pdf

Exhibit 3 - 071713 PZB Staff Report.pdf

Exhibit 4 - 071713 PZB Minutes.pdf

Exhibit 5 - 11-Z-12

ORDINANCES

ADJOURNMENT