

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

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12-2227	PUR-6		CONTRACT EXTENSIONS FOR BANKING AND CREDIT CARD PROCESSING SERVICES not to exceed nine months through June 30, 2013, with Wells Fargo Bank, N.A. and Elavon, Inc. in the amount of \$142,282.25 and authorize proper City Officials to execute all necessary documents, contingent upon each vendor agreeing to extension	9
12-2251	PUR-7		CONTRACT EXTENSION FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES not to exceed ninety days through January 31, 2013 in the amount of \$952,600.50 with Choice Environmental Services of Broward, Inc.	9
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12-2235	PH-1	C-12-41	QUASI-JUDICIAL - FIRST READING OF ORDINANCE - VACATION OF RIGHT-OF-WAY - NE 5 Terrace, south of NE 5 Street and west of Federal Highway - Case 7-P-12 Applicant: The Pearl at Flagler Village Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.	13
12-2307	O-1	C-12-39	SECOND READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATIONS, SECTIONS 47-20, PARKING AND LOADING REQUIREMENTS - implementing recommendations of Barrier Island Parking Study - Case 9-T-12	14
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12-2391	OB	12-204	WALK-ON RESOLUTION- CONCERNING AMENDMENT 4 TO THE FLORIDA CONSTITUTION	10
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	OB		WALK-ON PROCLAMATION – LIGHTS ON AFTER SCHOOL DAY	2
	OB		MOTION FOR RECONSIDERATION OF ONE-YEAR CONTRACT FOR THE MAINTENANCE OF CITY OWNED STORMWATER STRUCTURES FOR UTILITY OPERATIONS in the amount of \$69,650 from A & A Drainage & Vac Services, Inc. and authorize the City Manager or his designee to approve all extension options (Agenda Item PUR-9, Memorandum 12-2223, October 2, 2012)	16

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

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

Roll call showed:

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

Absent:                   City Manager                   Lee R. Feldman

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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**Consent Agenda**

**(CA)**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**CONSENT RESOLUTION**

- CR-1 12-2286 DOWNTOWN DEVELOPMENT AUTHORITY - LEVY OF AD VALOREM TAXES - FISCAL YEAR 2013**

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

RESOLUTION NO. 12-196

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

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

Please see funding information attached to these minutes.

RESOLUTION NO. 12-197

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

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

There is no fiscal impact associated with this action.



## RESOLUTION NO. 12-198

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING, PURSUANT TO SECTION 8-144 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, THE USE, MAINTENANCE AND REPAIR OF AN EXISTING MARGINAL DOCK AND SEAWALL ON PUBLIC PROPERTY BY WILLIAM JUBB CORBET, JR. AND JOAN K. CORBET; SAID DOCK AND SEAWALL LOCATED ON PUBLIC PROPERTY IMMEDIATELY ADJACENT TO PROPERTY LOCATED AT 715 CORDOVA ROAD, THE LEGAL DESCRIPTION OF WHICH IS MORE PARTICULARLY DESCRIBED BELOW; SUCH AUTHORIZATION BEING UNDER CERTAIN TERMS AND CONDITIONS SET FORTH HEREIN; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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

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

## RESOLUTION NO. 12-199

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

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

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

## RESOLUTION NO. 12-200

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF

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

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

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

**RESOLUTION NO. 12-201**

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

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

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

**RESOLUTION NO. 12-202**

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

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

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

**RESOLUTION NO. 12-203**

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

**PURCHASING AGENDA**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-204

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

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

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

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

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

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

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

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

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

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

RESOLUTION NO. 12-

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

There were no appointments.

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

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

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

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-194

A RESOLUTION OF THE CITY COMMISSION OF THE CITY

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

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

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

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

Vice Mayor Rodstrom introduced the following resolution:

**RESOLUTION NO. 12-195**

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

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

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

**Applicant: The Pearl at Flagler Village**

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

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

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

Commissioner Rogers introduced the following ordinance on FIRST reading:

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

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

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



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

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

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-12-39

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

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

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

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

ORDINANCE NO. C-12-

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

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

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

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

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

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

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

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

Mayor Seiler opened the floor for public comment.

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

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

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

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

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

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

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

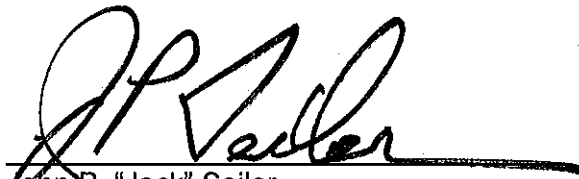
The City Attorney responded to Commissioner Rogers' question, noting in terms of meeting the City's eligibility requirements, the critical act is at the time of the award and until there is an award, everything in the bid requirements carries forward. This bid has been awarded. He thought a violation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

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

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

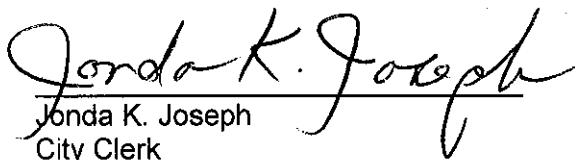
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Note: The City Commission adjourned the regular meeting at 7:25 p.m. and returned to the conference meeting agenda, City Manager Reports, at 7:26 p.m.



John R. "Jack" Seiler  
Mayor

ATTEST:



Jonda K. Joseph  
City Clerk

M-2

attempt settlement of this claim for some time. A Medicare Set-A-Side (MSA) account is required and the Center for Medicare/Medicaid Services (CMS) is requiring \$213,711 be set aside for future medical care. The City is funding this CMS requirement through an annuity at the cost of \$139,319.

A tentative settlement has been reached with Ms. Van Sant's attorney that would relieve the City of all future medical and indemnity exposure for a payment of \$375,000 plus the \$139,319 required for the MSA annuity for a total of \$514,319, inclusive of attorney fees.

This settlement was discussed at the October 2<sup>nd</sup>, 2012 executive closed-door session of the City Commission.

**Resource Impact**

There is a fiscal impact to the City in the amount of \$514,319.

Funding for this item is available in Fund 543, Subfund 01, Index Code INS 010101, Subobject 5125.

FY Year	SUB		FUND NAME	INDEX #	INDEX NAME	SUB		AMOUNT
	FUND	FUND				OBJECT #	SUBJECT NAME	
2012-2013	543	01	City Insurance	INS010101	Self Insurance Claims	5125	Workers' Compensation Claims	514,319
TOTAL								514,319

Prepared By: Kathleen Thorpe, Claims Adjuster, ext. 5166

Department Director: Averill Dorsett

M-3

per claim on the public officials' policy and a \$150,000 retention level on the employment practices liability policy. It also provides a combined limit of \$4 million. The contract is for the period of November 1, 2012 through October 31, 2013. This item was reviewed and approved by the Insurance Advisory Board at its October 3, 2012 meeting.

Prior Commission Action: On June 5, 2012, the City Commission approved CAR 12-0955 (Item M-19) requesting authority to negotiate an insurance premium with the current carrier (vote 5-0).

**Resource Impact**

There is a fiscal impact to the City in the amount of \$166,860

Funding for this item is available in the FY 2013 budget in Fund 543, Subfund 01, Index Code INS010101, Subobjects 5134 and 5137.

FY Year	SUB		FUND NAME	INDEX #	INDEX NAME	SUB		AMOUNT
	FUND	FUND				OBJECT #	SUBJECT NAME	
2012-2013	543	01	City Insurance	INS010101	Self Insurance Claims	5134	Public Official Carrier	50,058.00
2012-2013	543	01	City Insurance	INS010101	Self Insurance Claims	5137	Empl Practices Carri	116,802.00
TOTAL								166,860.00

**Attachment(s)**

Exhibit 1 – Memo 12-270

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Prepared By: Guy Hine, Risk Manager, ext. 5494

Department Director: Averill Dorsett

M-5

**Resource Impact**

There is an anticipated positive fiscal impact to the city in the amount of \$75,000 which would allow for project implementation. Matching funds have been identified in existing capital funded projects.

Matching  
Funds  
Available

FUND	SUB		INDEX #	INDEX NAME	SUB		AMOUNT
	FUND	FUND NAME			OBJECT #	SUBJECT NAME	
129	01	Misc Federal/State Grants	P11353.129A	Gore Betz Park	6599	Construction	75,000.00
331	01	General Capital Fund	P11353.331	Gore Betz Park	6599	Construction	75,000.00
Total							150,000.00

**Attachment:**  
None

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Prepared By: Miguel Seco, Senior Financial Management Analyst, x5227

Department Director: Phil Thornburg



M-6

**Resource Impact**

There is an anticipated positive fiscal impact to the city in the amount of \$75,000 which would allow for project implementation. Matching funds have been identified in existing capital funded projects.

Matching  
Funds  
Available

FUND	SUB		INDEX #	INDEX NAME	SUB		AMOUNT
	FUND	FUND NAME			OBJECT #	SUBJECT NAME	
129	01	Misc Federal/State Grants	P11411.129C	Lewis Landing Park	6599	Construction	75,000.00
331	01	General Capital Fund	P11411.331	Lewis Landing Park	6599	Construction	75,000.00
Total							150,000.00

**Attachment:**

None

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Prepared By: Miguel Seco, Senior Financial Management Analyst, x5227

Department Director: Phil Thornburg

M-7

**Resource Impact**

There is an anticipated positive fiscal impact to the city in the amount of \$75,000 which would allow for project implementation. Matching funds have been identified in existing capital funded projects.

Matching  
Funds  
Available

FUND	SUB		INDEX #	INDEX NAME	SUB		AMOUNT
	FUND	FUND NAME			OBJECT #	SUBJECT NAME	
129	01	Misc Federal/State Grants	P11418.129A	Hortt Park	6599	Construction	75,000.00
343	01	Special Obligation Bond Fund	P11418.343	Hortt Park	6599	Construction	25,309.00
350	01	Park Impact Fees	P11418.350	Hortt Park	6599	Construction	49,961.00
Total							150,000.00

**Attachment:**  
None

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Prepared By: Miguel Seco, Senior Financial Management Analyst, x5227

Department Director: Phil Thornburg

M-8

**Resource Impact**

There is an anticipated positive fiscal impact to the city in the amount of \$75,000 which would allow for project implementation. Matching funds have been identified in existing capital funded projects.

Matching  
Funds  
Available

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
129	01	Misc Federal/State Grants	P10777.129D	Southside School	6599	Construction	75,000.00
343	01	Special Obligation Bond Fund	P10777.343	Hort Park	6599	Construction	75,000.00
Total							150,000.00

**Attachment:**  
None

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Prepared By: Miguel Seco, Senior Financial Management Analyst, x5227

Department Director: Phil Thornburg

M-9

Although the agreement allows repayment to the Riviera Isles Homeowner's Association by FY 2014, staff recommends repaying \$144,398.52 now by utilizing the programmed Stormwater funds for FY 12/13.

As of September 30, 2012, the City has accrued \$4,395.52 in interest. Paying early will save City from accumulating additional interest charges.

**Resource Impact**

There is a fiscal impact to the City in the estimated amount of \$1,200 per year, per valve for maintaining these valves.

AVAILABLE						
FUND	FUND NAME	G/L ACCOUNT	G/L NAME	SUBSIDIARY	SUBSIDIARY NAME	BALANCE
470-01	Stormwater - Operations	229	Other Current Liabilities	000035	Riviera Isles Loan	\$144,398.52
TOTAL						\$144,398.52

**Attachment**

Exhibit 1- Pilot Cost Sharing Program Agreement

Exhibit 2 – Amendment to Agreement

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

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

M-10

**Resource Impact**

There is a fiscal impact to the City in the amount of \$8,916.72 for the change order and \$624.17 for seven percent (7%) of the total, for inspection and administrative services, for a total of \$9,540.89. Funding for this item is available in Fund 454, Subfund 01, P11405.454 -6599.

AVAILABLE							
FUND	SUBFUND	FUND NAME	INDEX#	INDEX NAME	SUB OBJECT #	SUBOBJECT NAME	AMOUNT
454	01	Water and Sewer General Capital Projects	P11405.454	NW 2nd Ave Pump Station Rehab	6599	Construction	\$ 9,540.89
				TOTAL			9,540.89

**Attachment**

Exhibit 1 – Change Order No. 2

Exhibit 2 – Change Order No. 1

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Prepared By: Andrea Shramko, P.E., Assistant City Engineer

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

CR-2

**Resource Impact**

There is a fiscal impact to the City in the amount of \$54,000

FUNDS AVAILABILITY LOCATION:								
FISCAL		SUB				SUB		
YEAR	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBJECT NAME	AMOUNT
2013	001	01	GENERAL FUND	PKR080101	SANITATION ADMIN	3255	SOLID WASTE DISP	24,000.00
2013	001	01	GENERAL FUND	GEN010101	OTHER GEN GOVT-SOCIAL/CULTURAL	4299	OTHER CONTRIBUTIONS	30,000.00
							<b>TOTAL</b>	<b>54,000.00</b>

**Attachment**

- Exhibit 1 - Tri-Party Grant Agreement
- Exhibit 2 – PACA Resolution and Adopted Budget
- Exhibit 3 – Resolution

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Prepared By: Douglas R. Wood, Finance Director  
Carrie Keohane, Administrative Assistant I

Department Director: Douglas R. Wood, Finance

CR-4

**Resource Impact**

There is a fiscal impact to the City in the amount of \$70,000. Funding for this item currently exists in DSD050101-4299 Other Contributions – Fund 001, Subfund01.

\$70,000 is available in Fund 001, Subfund 01, DSD050101

**Funds Available In:**

FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
001	01	General Fund	DSD050101	Economic Development	4299	Other Contributions	\$70,000.00
<b>TOTAL</b>							<b>\$70,000.00</b>

**Attachment**

Exhibit 1 - Resolution

Prepared By: Karen Reese, Economic Development

Department Director: Greg Brewton, Sustainable Development

PUR-2

The evaluation committee voting members were Peter Jarman, Accountant II – Chair; Susan LeSage, Financial Administrator; John Saavedra, Solid Waste Supervisor; and Jeff Lucas, Battalion Chief.

On August 15, 2012 the evaluation committee met and discussed the five proposals and made a recommendation to short-list the top four ranked proposers and requested a best and final offer from each proposer. After receipt of the best and finals, the evaluation committee re-convened and made a motion for a recommendation to award to the top ranked proposer, Specialty Property Appraisals LLC.

**Resource Impact**

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

**FUNDS AVAILABILITY LOCATION:**

YEAR	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2013	001	01	GENERAL FUND	GEN030101	OTHER GEN GOVT INSURANCE	3199	SERVICES / MATERIALS	24,236.00
2013	409	01	SANITATION	PBS090101	SANITATION	3199	SERVICES / MATERIALS	352.00
2013	450	01	WATER AND SEWER	PBS010101	PUBLIC WORKS DIR	3199	SERVICES / MATERIALS	51,690.00
2013	451	01	CENTRAL REG WASTEWATER SYST	PBS670501	SUPPORT	3199	SERVICES / MATERIALS	10,280.00
2013	461	01	PARKING SYSTEM	TAM010101	TRANS & MOBILITY ADMIN SUPPORT	3199	SERVICES / MATERIALS	3,177.00
2013	468	01	EXECUTIVE AIRPORT	TAM070101	EXECUTIVE AIRPORT	3199	SERVICES / MATERIALS	3,636.00
2013	470	01	STORMWATER	PBS700102	GENERAL EXPENDITURES	3199	SERVICES / MATERIALS	1,179.00
2013	543	01	CITY INSURANCE	HRD050101	CLAIMS ADMIN	3199	SERVICES / MATERIALS	16.00
2013	581	01	CENTRAL SERVICES	ITS030101	ITS ADMINISTRATION	3199	SERVICES / MATERIALS	584.00
2013	583	01	VEHICLE RENTAL	PBS580101	FLEET SERVICES	3199	SERVICES / MATERIALS	4,354.00
2013	643	01	ARTS & SCIENCE DIST GARAGE	TAM080101	ARTS & SCIENCE	3199	SERVICES / MATERIALS	296.00
							TOTAL	99,800.00

**Attachment**

Exhibit 1 – Bid Tabulation Summary 725-11027

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

Department Director: Douglas R. Wood, Finance



B Ocean - The B Ocean Hotel quoted the conference at \$34,250.

Hilton Fort Lauderdale Beach Resort - The Hilton quoted the conference at \$34,250.

Marriot Hotel Services, Inc. / Harbor Beach Marriott - The Marriott quoted the conference at \$30,000.

**Resource Impact**

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

FUNDS AVAILABILTY LOCATION:								
FISCAL	SUB					SUB		
YEAR	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	SUBOBJECT N	AMOUNT
2013	129	01	MISC FEDERAL STATE / CTY	GUASICORP13	URBAN AREA GRANTS SEC INIP SPEC PROJ	3322	OTHER FACIL RENTAL	30,000.00
							<b>TOTAL</b>	<b>30,000.00</b>

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

Department Director: Chief Jeffery Justinak, Fire-Rescue

PUR-5

**GIS Software - Environmental Systems Research Institute, Inc. (ESRI):**

ESRI software is an essential piece of the City's GIS infrastructure and forms the foundation for all City GIS products. The Information Technology Services (ITS) Department uses this software for the support and maintenance of various systems which rely heavily on map data. Annual maintenance is required to receive new upgrades and technical assistance/support for all software related questions and/or problems. ESRI is the sole provider of updates, maintenance and support.

**Resource Impact**

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

FUNDS AVAILABILITY LOCATION:								
FY	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2013	581	01	CENTRAL SERVICES	ITS040101	APPLICATION SERVICES	3401	COMPUTER MAINT	267,481.00
2013	581	01	CENTRAL SERVICES	ITS060101	GEOGRAPHIC INFO SYSTEMS	3401	COMPUTER MAINT	32,473.00
2013	450	01	WATER AND SEWER	PBS670101	TREATMENT OPERATIONS	3401	COMPUTER MAINT	9,200.00
					<b>TOTAL</b>			<b>309,154.00</b>

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

Department Director: Mike Maier, Information Services



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

**# 12-2227**

*PUR-6*

**TO:** Honorable Mayor & Members  
Fort Lauderdale City Commission

**FROM:** Lee Feldman, City Manager

**DATE:** October 16, 2012

**TITLE:** Motion to extend contracts for banking and credit card processing services – contracts 552-9100 and 162-9557 - \$142,282.25

**Recommendation**

It is recommended that the City Commission approve contract extensions for banking and credit card processing services, not to exceed nine months through June 30, 2013, with Wells Fargo Bank, N.A. and Elavon, Inc. and authorize proper City officials to execute all necessary documents, contingent upon each vendor agreeing to the extension.

**Background**

On August 21, 2012 the City Commission awarded three-year contracts to TD Bank and JPMorgan Chase for depository and merchant credit card services. The Finance Department is currently in the process of entering into fully executed agreements after which the transition process can begin. The extensions will be month-to-month for up to nine months in an amount not to exceed \$142,282.25 for the full period in costs for Elavon, Inc.. There is no cost for Wells Fargo.

**Resource Impact**

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

**FUNDS AVAILABILTY LOCATION:**

FISCAL		SUB				SUB	SUBJECT	
YEAR	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	NAME	AMOUNT
2013	001	01	GENERAL FUND	FIN040101	ACCTS RECEIVABLE	3113	FIN & BANK SERV	142,282.25
							<b>TOTAL</b>	<b>142,282.25</b>

Prepared By: Richard Ewell, Procurement Specialist II  
Carrie Keohane, Administrative Assistant I  
Department Director: Douglas R. Wood, Finance

PUR-7

**Resource Impact**

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

**FUNDS AVAILABILTY LOCATION:**

FY	FUND	SUB FUND	FUND NAME	INDEX #	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
2013	409	01	Sanitation	PBS 090201	Collections	3255	Solid Waste Disposal	\$952,600.50
<b>TOTAL</b>								\$952,600.50

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

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

revenue generation.

RIR-8

**Resource Impact**

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

Funding is available as follows:								
AVAILABLE:								
Year	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	SUB	SUBJECT NAME	AMOUNT
		SUB				OBJECT #		
FY13	461	01	Parking Services	TAM020301	Parking-Lots	6410	New Services/Meters	\$218,500.00
FY13	461	01	Parking Services	TAM020303	Parking-Birch/Intracoastal Lot	6410	New Services/Meters	\$76,000.00
FY13	461	01	Parking Services	TAM020402	Parking-Bridgeside Sq Garage	6410	New Services/Meters	\$66,500.00
FY13	643	01	A&S Garage	TAM080101	Arts & Sciences Garage (PACA)	6410	New Services/Meters	\$19,000.00
FY13	461	01	Parking Services	TAM020301	Parking-Lots	3299	Other Services	\$12,420.00
FY13	461	01	Parking Services	TAM020303	Parking-Birch/Intracoastal Lot	3299	Other Services	\$4,320.00
FY13	461	01	Parking Services	TAM020402	Parking-Bridgeside Sq Garage	3299	Other Services	\$3,780.00
FY13	643	01	A&S Garage	TAM080101	Arts & Sciences Garage (PACA)	3299	Other Services	\$1,080.00
FY13	461	01	Parking Services	TAM020301	Parking-Lots	3199	Supplies	\$9,200.00
FY13	461	01	Parking Services	TAM020303	Parking-Birch/Intracoastal Lot	3199	Supplies	\$3,200.00
FY13	461	01	Parking Services	TAM020402	Parking-Bridgeside Sq Garage	3199	Supplies	\$2,800.00
FY13	643	01	A&S Garage	TAM080101	Arts & Sciences Garage (PACA)	3199	Supplies	\$800.00
FY13	461	01	Parking Services	TAM020301	Parking-Lots	3407	Parts & Components	\$34,500.00
FY13	461	01	Parking Services	TAM020303	Parking-Birch/Intracoastal Lot	3407	Parts & Components	\$12,000.00
FY13	461	01	Parking Services	TAM020402	Parking-Bridgeside Sq Garage	3407	Parts & Components	\$10,500.00
FY13	643	01	A&S Garage	TAM080101	Arts & Sciences Garage (PACA)	3407	Parts & Components	\$3,000.00
TOTAL								\$477,600.00

**Attachment(s)**

- Exhibit 1 – Bid Tabulation RFP 524-10918
- Exhibit 2 – Final Rankings RFP 524-10918
- Exhibit 3 – Global Metro Meter Photo

Prepared By: AnnDebra Diaz, Procurement Specialist II  
 Carrie Keohane, Administrative Assistant

Department Director: Diana Alarcon, Transportation and Mobility

R-3

Funds for the settlement agreement will come from the CRA's 2004B Bonds which provides funds for the purchase and rehabilitation of properties in the CRA. This settlement agreement shall be contingent upon the CRA Board of Directors' approval of \$405,000 for property purchase and associated closing costs.

**Resource Impact**

FROM:

FUND	SUBFUND	FUND NAME	INDEX#	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
322	01	TAX INCR REV CONST 2004 AMT	FD322.01	TAX INCR REV CONST 2004 AMT		ANTICIPATED YEAR END FUND BALANCE	405,000.00
TOTAL							405,000.00

TO:

FUND	SUBFUND	FUND NAME	INDEX#	INDEX NAME	SUB OBJECT #	SUBJECT NAME	AMOUNT
322	01	TAX INCR REV CONST 2004 AMT	FD322.01	SUNNYLAND HOMES SETTLEMENT	6504	LAND ACQUISITION	405,000.00
TOTAL							405,000.00

**Attachments:**

Exhibit 1 Resolution

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Prepared By: Lee R. Feldman, City Manager

Department Director: Lee R. Feldman, City Manager

Oct 16, 2012

**Stephanie J. Toothaker**

RECONSIDERATION  
FROM OCT 2, 2012  
WALK-ON

**From:** Al-Imam, Richard [RALIMAM@broward.org]  
**Sent:** Tuesday, October 16, 2012 1:25 PM  
**To:** Stephanie J. Toothaker  
**Subject:** RE: Case#12-0536

Good afternoon Stephanie.

Sorry I missed your calls. I left you a voicemail also. I'm sure you're calling in regard to Case# 12-0536 and my scheduled meeting with the Respondent today. The Respondent, James Scrima rescheduled to meet Friday 10/19. As discussed, the twenty six separate complaints were grouped together under one case number. Let me know if you have any questions or need further assistance.

Best regards,

**Richard Al-Imam**

**Investigations & Enforcement Services (I.E.S.) Investigator**  
Permitting, Licensing and Consumer Protection Division  
Environmental Protection and Growth Management Department  
1 North University Drive Bldg. B, Plantation, FL 33324  
Phone: 954-765-4400 Ext. 9690 Fax: 954-765-4163



**From:** Stephanie J. Toothaker [mailto:sjt@TrippScott.com]  
**Sent:** Tuesday, October 16, 2012 11:34 AM  
**To:** Al-Imam, Richard  
**Subject:** RE:

Richard

I left you a message. Could you please call me at your earliest convenience. Thank you so much for everything!

Stephanie

954-648-9376



110 SE Sixth Street, Suite 1500  
Fort Lauderdale, FL 33301  
954-525-7500

**Stephanie J. Toothaker**

*Director*

Direct: (954) 765-2905  
Fax: (954) 761-8475

10/16/2012

[sit@trippscott.com](mailto:sit@trippscott.com)

**From:** Al-Imam, Richard [mailto:[RALIMAM@broward.org](mailto:RALIMAM@broward.org)]  
**Sent:** Friday, October 12, 2012 9:16 AM  
**To:** Stephanie J. Toothaker  
**Subject:**

Good morning again Stephanie.

As requested, please find attached a copy of initial correspondence re: Case#12-0536. Let me know if you have any questions or need further information.

Best regards,

**Richard Al-Imam**  
**Investigations & Enforcement Services (I.E.S.) Investigator**  
Permitting, Licensing and Consumer Protection Division  
Environmental Protection and Growth Management Department  
1 North University Drive Bldg. B, Plantation, FL 33324  
Phone: 954-765-4400 Ext. 9690 Fax: 954-765-4163

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Our Best. Nothing Less.



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10/16/2012



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

October 15, 2012

**VIA E-Mail and U.S. Mail**

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: Additional Information Pertaining to City's Bid Number 423-11009  
Storm Structure Service Maintenance (Annual Contract) ("Contract" or  
"Bid")**

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

On behalf of our client, F. A. Johnson, Inc. ("F.A. Johnson") we are respectfully  
requesting that you reconsider the City Commission's award of the above-referenced Contract to  
A & A due to new information.

You may recall that at the October 2, 2012 Commission meeting, F. A. Johnson provided  
extensive information to the City to support the assertion that the work A & A was performing in  
other municipalities, specifically Cooper City, was work that required at a minimum, a General  
Contractor's License.

Since the City Commission's last meeting, Broward County's Investigations &  
Enforcement Services has opened an official investigation of A & A as a result of work  
performed in Cooper City as part of that City's Storm Structure Maintenance Contract being  
performed without the proper licenses. I was advised personally by Investigator Richard Al-  
Imam, that because of the large number of violations by A & A, that Investigator Al-Imam had  
to consult with the County Attorney's Office as to whether to bring the violations forward as  
individual cases or as one case. The County Attorney's Office apparently advised that the cases  
should all be brought as one.

656821v1 970245.0009

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

Fort Lauderdale • Tallahassee

HYI  
OCT 16, 2012  
CITY COMMISSION  
2012 OCT 16 PM 1:26  
RECONSIDERATION  
FROM OCT 2, 2012  
WALK-ON  
ALL  
COMMISSIONERS  
RECEIVED

I was further personally advised by Investigator Al-Imam that he had set an appointment with Mr. James Scrima, the owner of A &A, for the week of October 8 at which he intended to issue formal Notices of Violation, but that Mr. Scrima requested that the meeting be moved to the week of October 15, presumably so that it would be held after the Fort Lauderdale City Commission met on October 16.

As we have previously indicated, the City's Bid provides:

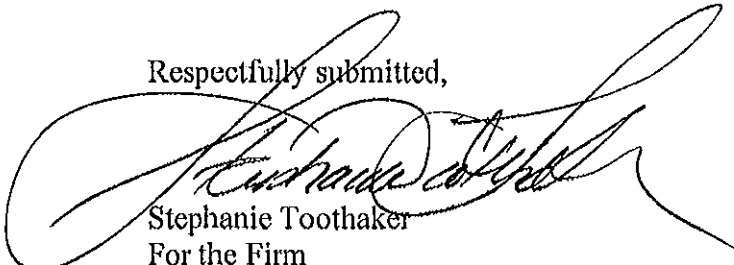
Page 6, Part I "Information Special Conditions" provides in Section 05: "Eligibility: To be eligible for award of a contract in response to this solicitation, the Contractor must demonstrate that they have successfully completed services, as specified in the Technical Specifications / Scope of Services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

Mr. Scrima used the work he performed in Cooper City as a reference to obtain the City of Fort Lauderdale bid. As a reminder however, the Cooper City contract was entered into as a "piggyback" contract onto a City of Sunny Isles bid. It is unclear whether Miami-Dade County has the identical licensing requirements that Broward County does, and the Cooper City bid may or may not have been vetted with the same level of scrutiny as to conformance with Broward County licensing requirements because of the method with which the contract was awarded.

Nevertheless, now that the work that Mr. Scrima has performed in Cooper City is the subject of an open investigation as a result of being performed without the proper licenses, which will certainly result in Notices of Violation, pursuant to the City's Bid specifications, A & A is not qualified to perform the services required by the City's Bid. As such we are respectfully requesting that the contract be awarded to F.A. Johnson.

Thank you for your consideration.

Respectfully submitted,



Stephanie Toothaker  
For the Firm

Cc: Lee Feldman  
Harry Stewart, Esq.  
Kirk Buffington



Investigations & Enforcement Services (I.E.S.)  
Permitting, Licensing and Consumer Protection Division  
Environmental Protection and Growth Management Department  
1 North University Drive, Box #302 ~ Plantation, FL 33324-2038 ~ Phone 954-765-4400

En 9690

October 09, 2012

Pete R. Cameron  
4700 Powerline Road  
Oakland Park, FL 33309

CASE NUMBER: 12-0536

RE: James Scrima - A & A Drainage & Vac Services, Inc.

The Investigation & Enforcement Services (IES) section has received your complaint.

Please be advised that the initial research has been completed and your complaint is now in the initial investigation phase pursuant to Florida Statute 455.255 and Broward County Ordinance Sec. 9-14 (a). Any inquiries related to this case must include case number listed above.

If any further information is needed we will contact you. Please allow the investigator assigned to your case up to 90 days to initiate the investigation. The investigator will contact you with an update on your case.

We thank you in advance for your cooperation.

Sincerely,

RICHARD AL-IMAM

Investigation & Enforcement Services (IES)



ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT  
Permitting, Licensing and Consumer Protection  
1 North University Drive, Box 302, Plantation, Florida 33324, 954-765-4400, Fax 954-765-4574

10-16-12  
OB  
Reconsideration  
From  
OCT 2, 2012  
WALK-ON

August 8, 2012

To Whom It May Concern:

The Broward County Central Examining Board of Engineered Construction Trades was contacted regarding the need for a license for certain services for cleaning and video inspections of storm drains. This correspondence is in reference to a request for a letter clarifying licensing.

At this time there are no existing licensing requirements to clean and video inspect storm drains, where no construction is to be performed. However, where any type of construction including repair, modification or addition to an existing system is to be performed an appropriate license would be required.

As a point of information, the Broward County Engineering Licensing Board is in the process of rewriting the Engineering Construction element of Broward County Chapter 9. These revisions will include licensing provisions for performing cleaning, video inspection and sewer rehabilitation methods.

Very truly yours,

Astley Stone, Vice Chair  
Broward County Central Examining Board of Engineered Construction Trades