

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, February 19, 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
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
HARRY A. STEWART, City Attorney***

Meeting was called to order at 6:03 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 4 - Mayor John P. "Jack" Seiler, Vice-Mayor Bruce G. Roberts, Commissioner Bobby B. DuBose and Commissioner Romney Rogers

Also Present: 5 – City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jonda K. Joseph, City Attorney Harry A. Stewart, Sergeant At Arms Sergeant Mary Gillis

Vote Roll Call Order for this Meeting

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

Invocation

Rabbi Schneur Kaplan, Downtown Jewish Center Chabad

Pledge of Allegiance

Led by three sixth grade students from St. Mark's Episcopal School

Approval of MINUTES and Agenda

13-0157 APPROVAL OF MINUTES - January 8, 2013 Conference and Regular Meetings

Motion made by Vice Mayor Roberts and seconded by Commissioner DuBose to approve the minutes of the January 8, 2013 Conference and Regular Meetings.

APPROVED

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

PRESENTATIONS

PRES-1 13-0263 CELEBRATION OF 30th ANNUAL SCOTTISH FESTIVAL AND HIGHLAND GAMES

Art Campbell and Robert Ritchie of the Scottish American Society of South Florida, invited the public to attend the upcoming event on March 2. Mr. Ritchie thanked the Commission.

PRES-2 13-0259 RECOGNITION OF UTILITIES BUREAU - WINNER OF 2012 DIVISION 5 WATER DISTRIBUTION SYSTEM AWARD BY FLORIDA SECTION OF AMERICAN WATER WORKS ASSOCIATION
Utilities Bureau was recently named the winner of the 2012 Division 5 Water Distribution System Award by the Florida Section of the American Water Works Association (FSAWWA).

Carl Larrabee and Grace Johns of the Florida Section of American Water Works Association, presented Mark Darmanin, Water Distribution and Collection Manager, with the 2012 Division 5 Water Distribution System Award. The Utilities Bureau of the Public Works Department has received this award for two consecutive years, and for three of the last four years. Mr. Darmanin thanked the Commission, Mr. Larrabee, and Ms. Johns. He also recognized Jose DiCienzo, former Distribution and Collection Supervisor; Steve Roberts, Jr., Distribution and Collection Supervisor; and Keith Hutchison, Distribution and Collection Supervisor, for their contributions to the department. He expressed gratitude to Julie Leonard, Deputy Public Works Director-Utilities, and Albert Carbon, Public Works Director, for their leadership.

PRES-3 13-0360 CELEBRATION OF DELTA SIGMA THETA SORORITY, INC. 100th ANNIVERSARY

In recognition of Delta Sigma Theta Sorority's 100th anniversary, Commissioner DuBose provided a filmed presentation showcasing some of the sorority's achievements. A copy of the DVD was made part of the record. He acknowledged local government officials and City staff who are members of the sorority. He presented a proclamation declaring January 13, 2013, as Delta Sigma Theta Sorority, Inc. 100th Anniversary Day in the City to Alfreda Coward of Delta Sigma Theta, Inc. Broward County Alumnae Chapter. Ms. Coward thanked the Commission for their support, and invited the public to attend an upcoming event on March 9. The following City staff and Commissioner DuBose were acknowledged for assisting with the Souls to the Polls event: Police Officers Taurus Giles, Krystle Smith, Lizette Reeves, Aaron Wright, Dellica C. Harris, Debora Burke, and Vincent Castiglia, Police Major Anthony Williams, as well as George Coston, Parks and Recreation; Carlton Hutcheson, Parks and Recreation; Jeff Meehan, Parks and Recreation; and Tracy Roach, Commission Assistant IV.

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.

Motion made by Vice Mayor Roberts and seconded by Commissioner Rogers that all Consent Agenda Items be approved as recommended.

CONSENT AGENDA

Approval of the Consent Agenda

Approve the Consent Agenda

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

M-1 13-0270 EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: Fort Lauderdale St. Patrick's Day Parade & Festival, 36th Annual

Waterway Cleanup, Rotary Club of Fort Lauderdale Maroone New River Raft Race, Show N Shine 30, 79th Easter Sunrise Service, Corporate Run, Sizdah Bedar and Surprise Flash Mob

APPROVED

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

- M-2 13-0249** ACCEPTANCE OF ADDITIONAL GRANT FUNDS - 2008 Urban Area Security Initiative - \$48,781.34 from United States Department of Homeland Security, Florida Division of Emergency Management through City of Miramar - no match required
- REMOVED FROM AGENDA**

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

- M-3 13-0250** GRANT APPLICATION - \$50,000 - 40-HOUR CRITICAL CARE COURSE from Florida Department of Health - 2013 Bureau of Emergency Medical Services Program - \$12,500 City match
- APPROVED**

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

- M-4 13-0289** SETTLEMENT OF POLICE PROFESSIONAL LIABILITY FILE PP L 09-555 (Jeffrey Dowling) - \$62,500
- APPROVED**

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

- M-5 13-0262** TORTUGA ROCK THE OCEAN MUSIC FESTIVAL CO-SPONSORSHIP - April 13-14, 2013 - Agreement termination with Rock The Ocean Productions, LLC and approving Agreement with TMF2013, LLC - banners
- APPROVED**

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

- M-6 13-0273** SUNTRUST SUNDAY JAZZ BRUNCH 2013 SPONSORSHIP AGREEMENT RIDER - SUNTRUST BANKS, INC. - amending terms
- APPROVED**

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

- M-7 13-0256** CHANGE ORDER 1 (FINAL) - SLUDGE REMOVAL AT PROSPECT WELLFIELD - Prolime Corporation - \$10,671.75

APPROVED

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

- M-8 13-0275** INTERCONNECTION BETWEEN C-12 AND C-13 CANAL SYSTEMS AND NORTH FORK OF NEW RIVER WITH MIDDLE RIVER - SECOND AMENDMENT TO AGREEMENT with Broward County - extending term to December 31, 2013

APPROVED

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

- M-9 13-0286** REVOCABLE LICENSE WITH PEARL FLAGLER VILLAGE, LLC - TEMPORARY RIGHT OF WAY CLOSURES - NE 5 AVENUE AND NE 5 STREET - associated with construction of The Pearl at Flagler Village

APPROVED

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

- M-10 13-0298** CITY ENGINEER - Recognizing the Public Works Director as the City Engineer

APPROVED

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

CONSENT RESOLUTION

- CR-1 13-0324** REAPPOINTMENT OF CODE ENFORCEMENT SPECIAL MAGISTRATES

ADOPTED

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

- CR-2 12-2582** CITY HALL GARAGE PARKING AND AIRSPACE LEASE AGREEMENT with GS Exchange, LLC - parking spaces on fourth floor and construction of pedestrian bridge walkway

REMOVED FROM AGENDA

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

PURCHASING AGENDA

PUR-1 12-2419 PROPRIETARY PURCHASE - UPGRADES TO COMMUNITYPLUS SOFTWARE APPLICATION in the amount of \$466,000 from SunGard Public Sector, Inc.

APPROVED

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

PUR-2 13-0114 PROPRIETARY PURCHASE - AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM LATENT STATION WITH THREE-YEAR EXTENDED WARRANTY in the amount of \$101,448 from MorphoTrak, Inc.

APPROVED

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

PUR-3 13-0321 PROPRIETARY PURCHASE - LIGHT POLES AND FIXTURES in the amount of \$64,535 for North Riverwalk, Esplanade and Smoker Parks from Municipal Lighting Systems, Inc.

APPROVED

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

PUR-4 13-0089 CONTRACT AWARD FOR BEACH WAVE WALL LIGHT REPLACEMENT in the amount of \$342,135 from Florida Safety Contractors, Inc.

APPROVED

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

PUR-5 13-0223 ONE-YEAR CONTRACT FOR PURCHASE OF STREETLIGHT FIXTURES in the estimated amount of \$101,012.91 from Torres Electrical Supply Company, Inc. and authorize City Manager to approve renewal options contingent upon approval and appropriation of funds

APPROVED

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

PUR-6 13-0251 ONE-YEAR CONTRACT EXTENSION FOR GENERAL ENGINEERING AVIATION CONSULTANT SERVICES with Kimley-Horn and Associates, Inc. - Executive Airport and Downtown

Helistop

APPROVED

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

PUR-7 13-0252

ONE-YEAR CONTRACT EXTENSIONS FOR GENERAL ENVIRONMENTAL ENGINEERING CONSULTANT SERVICES from 1)AMEC Environment Services, LLC, 2)Environmental Consulting & Technology, Inc., 3)EE&G Environmental Services, 4)E Sciences, Incorporated, 5)Rare Earth Sciences, Inc. d/b/a HSA Engineers & Scientists and 6)Miller Legg & Associates, Inc.

APPROVED

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

PUR-8 13-0253

PURCHASE COMMUNICATIONS SERVICES in the estimated annual amount of \$240,785 from Florida Department of Management Services

APPROVED

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

PUR-9 13-0254

PURCHASE COMPUTER SOFTWARE AND HARDWARE - IMPLEMENT ADVANCED AUTHENTICATION FOR MOBILE LAPTOPS in the not to exceed amount of \$53,091 from Mission Critical Systems, Inc.

APPROVED

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

PUR-10 13-0346

PURCHASE COMPREHENSIVE USER FEE AND INDIRECT COST ALLOCATION STUDIES in the amount of \$38,000 from Matrix Consulting Group, Ltd d/b/a Matrix C G, Inc. and authorize City Manager to approve renewal options for study updates contingent upon approval and appropriation of funds

APPROVED

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

PUR-11 13-0242

PURCHASE INTERNATIONAL TERRASTER TRUCK in the amount of \$59,717 from Navistar, Inc. c/o Rechten International Trucks, Inc. - Florida Sheriff's Association Contract

APPROVED

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

Commissioner Rogers

PUR-12 13-0071 PURCHASE OF FOUR VACUUM LITTER COLLECTION VEHICLES
in the amount of \$290,421 from Pat's Pump & Blower, LLC

APPROVED

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

RESOLUTIONS

R-1 13-0238 LAS OLAS BOULEVARD PEDESTRIAN RAILING IMPROVEMENTS -
Construction Agreement with Florida Department of Transportation -
authorize proper City Officials to execute agreement and City Manager
to extend the completion date if mutually agreed to in writing by both
parties

Vice Mayor Roberts introduced the resolution which was read by title only.

In response to Commissioner Rogers, the City Manager advised that this project is funded through the District II Parks Project funds as former Commissioner Charlotte E. Rodstrom had wished. Mayor Seiler explained that there was an excessive amount of fencing in some areas, so a significant portion will be removed as agreed upon by the neighborhood. Commissioner Rogers asked whether the fencing on the bridge at 17th will remain. The City Manager was uncertain, but noted that this is based upon safety and pedestrian access according to FDOT's (Florida Department of Transportation) standards. He confirmed that this matter was addressed at several community outreach meetings.

ADOPTED

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

R-2 13-0266 CONVENIENCE AND LIQUOR STORE MORATORIUM 90-DAY
EXTENSION - Northwest Progresso Flagler Heights community
redevelopment area

Vice Mayor Roberts introduced the resolution which was read by title only.

ADOPTED

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

R-3 13-0269 AMENDING NAME OF MIDDLE RIVER SOUTH MIDDLE RIVER
SUNRISE BOULEVARD COMMUNITY REDEVELOPMENT AREA
(MRSMRSB) TO CENTRAL CITY REDEVELOPMENT AREA

Vice Mayor Roberts introduced the resolution which was read by title only.

ADOPTED

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

Commissioner Rogers

**R-4 13-0101 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS -
vacancy information provided under Conference Item BD-2**

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

| | |
|----------------------------|--|
| Community Services Board | Robert B. Ettinger (Consensus) |
| Nuisance Abatement Board | Syretta Simon (Consensus/Alternate) |
| Utility Advisory Committee | James Dunmire (Mayor Seiler) Eric Seidmon (Vice Mayor Roberts) Deborah Frederick (Commissioner DuBose) |

Vice Mayor Roberts introduced the resolution which was read by title only.

ADOPTED

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

**R-5 12-2524 OPENING COMMODITY ACCOUNT FOR FUEL PRICE RISK
MANAGEMENT PROGRAM with RBC Capital Markets, LLC d/b/a
RBC Wealth Management and authorize proper City officials to
execute agreements and all necessary documents**

Vice Mayor Roberts introduced the resolution which was read by title only.

Mayor Seiler opened the floor for public comment

In response to Robert Walsh, 401 East Las Olas Boulevard, Mayor Seiler confirmed that the Fuel Price Risk Management Program Guidelines and addendum to the City's investment policy were agreed upon a couple months ago, but the language had to be worked out. Mr. Walsh noted that gasoline prices have increased. He wanted staff to keep the public and the Commission updated on the progress of the pension obligation bonds.

There was no one else wishing to speak.

ADOPTED

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

**R-6 13-0336 UTILITY ADVISORY COMMITTEE AND TREE SUBCOMMITTEE -
ONE-YEAR TERM EXTENSION - through December 31, 2013**

Vice Mayor Roberts introduced the resolution which was read by title only.

ADOPTED

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

Commissioner Rogers

R-7 13-0358 FIRST AMENDMENT TO LEASE AGREEMENT FOR CERTAIN PROPERTIES IN HISTORIC PRESERVATION DISTRICT with Fort Lauderdale Historical Society, Inc. - insurance coverage

Vice Mayor Roberts introduced the resolution which was read by title only.

ADOPTED

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

PUBLIC HEARINGS

PH-1 13-0267 SUN TROLLEY GALT LINK COMMUNITY BUS ROUTE - fare increase and route extension

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

Commissioner Rogers commented on the importance of public transportation as reflected on the Neighbor Survey. However he was concerned about future funding. There is about a \$200,000 funding gap when the grants expire. He suggested pursuing with County Commissioners amending current regulations that preclude an increase to the 50 cent fare on the beach route. Some new fare box procedures were implemented which helped revenue, but the cost of public transportation is not covered by fares.

In response to Commissioner DuBose, Diana Alarcon, Transportation and Mobility Director, explained that the SFRTA (South Florida Regional Transportation Authority) route is currently 100 percent funded, but will drop to 50 percent next year. Staff will be discussing funding overall for the next fiscal year. Tri-Rail is budgeted on a year-to-year basis. Since the NL provides connectivity to the Tri-Rail station, SFRTA made a commitment to continue funding this on a year-to-year basis for the next few years until funds run out. However, continual connectivity is needed. She agreed to address this matter with Commissioner DuBose for his help at a state level. Vice Mayor Roberts noted the challenge is that \$200,000 to \$300,000 in funding will be needed within two years. The shortages arise from different routes at different times. He agreed with Commissioner Rogers in the need for the Commission to assist staff in pursuing funding.

Commissioner Rogers thought a Sun Trolley route should be included on The Wave route in order to show ridership ability. He and Ms. Alarcon met with North Broward Hospital District representatives about Broward Health Medical Center's participation. He noted some businesses in the area which are stakeholders. This will require a group effort. He stressed that the Commission should keep this topic at the forefront and continue addressing this matter with community partners.

Motion made by Vice Mayor Roberts and seconded by Commissioner Rogers to approve the item as presented.

APPROVED

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

Commissioner Rogers

ORDINANCES

- O-1 13-0231** FIRST READING OF ORDINANCE AMENDING CODE OF ORDINANCES, SECTION 20-83, PERSONNEL - designating three classes as administrative assistants to the city manager

Vice Mayor Roberts introduced the ordinance which was read by title only.

PASSED FIRST READING

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

- O-2 12-2418** FIRST READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 47-25.3, NEIGHBORHOOD COMPATIBILITY REQUIREMENTS - exempting parks, open space and conservation areas from bufferyard and wall requirements

Vice Mayor Roberts introduced the ordinance which was read by title only.

In response to Commissioner Rogers, the City Manager explained that there will be amendments to the ULDR (Unified Land Development Regulations) coming forward as a result of the Neighborhood Development Criteria Revisions (NDCR) Initiative. Staff will focus on the less complex issues first. As for a timeline, amendments will be brought before the Planning and Zoning Board in early summer. Staff will base its priority on the changing market conditions and address the most active ones first. Each amendment will involve considerable neighbor discussion. Commissioner Rogers referred to anticipated activity in the downtown. He thought more impactful issues like setbacks and side yards should be addressed first in order to allow more time for discussion. The City Manager indicated that is what is contemplated.

PASSED FIRST READING

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

**O-3 13-0144 FIRST READING OF ORDINANCE RENAMING MIDDLE RIVER
SOUTH MIDDLE RIVER SUNRISE BOULEVARD REDEVELOPMENT
ADVISORY BOARD (MRSMRSB) TO CENTRAL CITY
REDEVELOPMENT ADVISORY BOARD**

Vice Mayor Roberts introduced the ordinance which was read by title only.

PASSED FIRST READING

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

**O-4 13-0268 FIRST READING OF ORDINANCE ESTABLISHING A
REDEVELOPMENT TRUST FUND FOR MIDDLE RIVER SOUTH
MIDDLE RIVER SUNRISE BOULEVARD COMMUNITY
REDEVELOPMENT AREA (MRSMRSB) - providing for supplemental
name of Central City Redevelopment Trust Fund**

Vice Mayor Roberts introduced the ordinance which was read by title only.

In response to Commissioner Rogers, the City Manager explained that the trust fund name had to be changed, as well as the names of the plan and the CRA (Community Redevelopment Agency) area. These revisions were accomplished with one resolution (item R-3) and two ordinances (items O-3, O-4).

PASSED FIRST READING

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

**O-5 13-0265 SECOND READING OF ORDINANCE AMENDING CODE OF
ORDINANCES - ECONOMIC INCENTIVE PROGRAMS AND
ECONOMIC INCENTIVE APPLICATION SELECTION CRITERIA -
SECTIONS 15-231 AND 15-232 - time period for job creation**

Vice Mayor Roberts introduced the ordinance which was read by title only.

In response to Commissioner Rogers, the City Manager explained that the proposed ordinance is consistent with new County and State standards for job creation programs.

ADOPTED ON SECOND READING

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

Note: There being no other matters to come before the Commission, the meeting was adjourned at 7:04 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk