

FORT LAUDERDALE CITY COMMISSION REGULAR MEETING
NOVEMBER 6, 2012

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

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

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

12-2292	R-2	12-205	BROWNFIELD REDEVELOPMENT BONUS REFUND - recommending approval of Bokamper's Bar and Grill as an "eligible business" under Brownfield Redevelopment Bonus Refund Program and specifying that no local financial support is necessary, subject to designation of the property as a Brownfield area	25
12-2355	R-3	12-206	QUASI-JUDICIAL - VACATION OF UTILITY EASEMENT - Case 8-M-12 Applicant: Paseo Del Mar Location: NE 17 Avenue Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.	25
12-2356	R-4	12-207	QUASI-JUDICIAL - VACATION OF UTILITY EASEMENT - BROWARD COUNTY COURTHOUSE PARKING GARAGE Applicant: Broward County Board of County Commissioners Location: 644 South Andrews Avenue Case 14-M-12	26
12-2381	R-5	12-208	QUASI-JUDICIAL - VACATION OF UTILITY EASEMENT Applicant: The Paseo Del Mar I, LP Location: NE 16 Terrace Case 9-M-12 Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.	27
12-2401	R-6	12-209	PLANNED UNIT DEVELOPMENT ZONING DISTRICT MORATORIUM EXTENSION - filing or acceptance of an application for rezoning of any property in the City to a Planned Unit Development District for an additional 90 days from November 13, 2012 to February 11, 2013	27
12-2402	R-7	12-210	AUTHORIZING CODE ENFORCEMENT LIEN AMNESTY PROGRAM	28
12-2432	R-8	12-211	MIDDLE RIVER-SOUTH MIDDLE RIVER-SUNRISE BOULEVARD COMMUNITY REDEVELOPMENT AREA - SUPPORT STREETSCAPE IMPROVEMENT INITIATIVE - Requesting Broward County Board of County Commissioners review funding request from Fort Lauderdale Community Redevelopment Agency to allocate funds from its Redevelopment Bank	28
12-2407	R-9	12-212	SETTING PUBLIC HEARING FOR NOVEMBER 20, 2012, 6 P.M. - ESTABLISHING MINIMUM ANNUAL LEASE RATES AND ADOPTING A BROKERAGE COMMISSION POLICY FOR PROPERTY AVAILABLE FOR LEASE AT EXECUTIVE AIRPORT	29
12-2430	R-10	12-213	APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS All vacancy information is provided under Conference item BD-2	29
12-2467	O-1	C-12-42	FIRST READING OF ORDINANCE EXPANDING MEMBERSHIP OF THE CITIZENS' COMMITTEE OF RECOGNITION	30
12-2369	O-2	C-12-43	FIRST READING OF ORDINANCE AMENDING PAY PLAN BY ADDING SPECIAL PAY PRACTICES - providing maximum 6.13% salary differential for non-classified employees enrolled in City's 401(a) Defined Contribution Plan - hired before August 1, 2012 and in City's employ on effective date of this ordinance	31
12-2395	O-3	C-12-44	FIRST READING OF ORDINANCE - 2013 DISCOVER ORANGE BOWL AND DISCOVER BOWL CHAMPIONSHIP SERIES - designating public purpose special event and limited temporary exemption from sign requirements - December 1, 2012 through January 20, 2013	31
12-2412	O-4	C-12-41	QUASI-JUDICIAL - SECOND READING OF ORDINANCE - VACATION OF RIGHT-OF-WAY - NE 5 Terrace, south of NE 5 Street and west of Federal Highway - Case 7-P-12 Applicant: The Pearl at Flagler Village Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.	32
12-2394	O-5	C-12-40	SECOND READING OF ORDINANCE AMENDING CODE OF ORDINANCES - SECTIONS 26-91(C) AND 26-161 - Increase surcharge for School Crossing Guard Program and increase maximum parking fee at Fort Lauderdale Beach Park Lot for Special Events	33
	OB		WALK-ON PROCLAMATION – LU DEANER'S 90 TH BIRTHDAY	3

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

Meeting was called to order at 5:59 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 1st floor Chambers.

Roll call showed:

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

Absent: None.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Consent Agenda**(CA)**

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

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

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

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

Please see funding information attached to these minutes.

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

There is no fiscal impact associated with this action.

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

Please see funding information attached to these minutes.

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

There is no fiscal impact associated with this action.

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

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

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

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

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

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

Please see funding information attached to these minutes.

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

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

There is no fiscal impact associated with this action.

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

Please see funding information attached to these minutes.

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

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

RESOLUTION NO. 12-214

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013, BY APPROPRIATING FUNDS AS SET FORTH IN CITY COMMISSION AGENDA MEMO #12-2304 AND PROVIDING FOR AN EFFECTIVE DATE.

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

Please see funding information attached to these minutes.

RESOLUTION NO. 12-215

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

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

Please see funding information attached to these minutes.

RESOLUTION NO. 12-216

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

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

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

There is no fiscal impact associated with this action

RESOLUTION NO. 12-217

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

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

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

Please see funding information attached to these minutes.

Applicant: Glenn and Kristie Caddy

RESOLUTION NO. 12-218

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING, PURSUANT TO SECTION 8-144 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, THE USE, MAINTENANCE AND REPAIR OF AN EXISTING MARGINAL DOCK AND SEAWALL ON PUBLIC PROPERTY BY GLENN CADDY AND KRISTIE CADDY; SAID DOCK AND SEAWALL LOCATED ON PUBLIC PROPERTY IMMEDIATELY ADJACENT TO PROPERTY LOCATED AT 701 CORDOVA ROAD, THE LEGAL DESCRIPTION OF WHICH IS MORE PARTICULARLY DESCRIBED BELOW; SUCH AUTHORIZATION BEING UNDER CERTAIN TERMS AND CONDITIONS SET FORTH HEREIN; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

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

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

There is no fiscal impact associated with this action

RESOLUTION NO. 12-219

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

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

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

Please see funding information attached to these minutes.

RESOLUTION NO. 12-

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

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

PURCHASING AGENDA

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

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

Please see funding information attached to these minutes.

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

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

Please see funding information attached to these minutes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RESOLUTION NO. 12-155

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

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

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

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

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

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

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

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

RESOLUTION NO. 12-155

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

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

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

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

There is no fiscal impact associated with this action

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

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

Mayor Seiler opened the floor for public comment.

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

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

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

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-217

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

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

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

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

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

There is no fiscal impact associated with this action

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

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

Mayor Seiler opened the floor for public comment.

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

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

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-219

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

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

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

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

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

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

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

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

Mayor Seiler opened the floor for public comment.

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

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

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

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

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

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

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

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

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

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

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

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

recommended A & A.

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

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

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

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

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

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

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

CIT-2 12-2405 ART SEITZ - Barrier Island

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

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

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

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

CIT-4 12-2416 JOHN J. ZULLO – Crime

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

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

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

PUBLIC HEARINGS

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

There is no fiscal impact associated with this action.

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

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-220

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

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

RESOLUTIONS

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

Please see funding information attached to these minutes.

RESOLUTION NO. 12-

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

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

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

There is no fiscal impact associated with this action.

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-205

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

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

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

There is no fiscal impact associated with this action.

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

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

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-206

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

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

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

There is no fiscal impact associated with this action.

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

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

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-207

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

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

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

There is no fiscal impact associated with this action.

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

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

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-208

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

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

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

There is no fiscal impact associated with this action.

Vice Mayor Rodstrom introduced the following resolution:

RESOLUTION NO. 12-209

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

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

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

Please see funding information attached to these minutes.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-210

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

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

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

There is no fiscal impact associated with this action.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-211

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

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

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

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

Please see funding information attached to these minutes.

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-212

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

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

**R-10 12-2430 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS
All vacancy information is provided under Conference item BD-2**

There is no fiscal impact associated with this action.

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

Budget Advisory Board	Jonathan Macy (Commissioner Rogers)
Community Appearance Board	Kelly Blume (Mayor Seiler)
Community Services Board	Earl Bosworth (Vice Mayor Rodstrom)
Education Advisory Board	Angela Sebaly (Commissioner Roberts)
Nuisance Abatement Board	Donald Ray Karney, III (Consensus/Alternate)

Parks, Recreation and Beaches
Board

Cate Gundlach (Commissioner Rogers)

Planned Unit Development Zoning
District Advisory Committee

Peter J. Henn (Mayor Seiler)
Catherine Maus (Vice Mayor Rodstrom)
Bradley Deckelbaum (Commissioner Roberts)
Jason Scott Crush (Commissioner DuBose)
Leigh R. Kerr (Commissioner Rogers)
James C. Brady (Consensus)
Mary C. Fertig (Consensus)

Police and Firefighters Retirement
System Board of Trustees

Jim Naugle (Consensus)
Dennis Hole (Consensus – 7th member recommended by the Board)

Sustainability Advisory Board

Darin Lentner (Commissioner Rogers)

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

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

Commissioner Roberts introduced the following resolution:

RESOLUTION NO. 12-213

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

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

ORDINANCES

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

There is no fiscal impact associated with this action.

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-12-42

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

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

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

There is no fiscal impact associated with this action.

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-12-43

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

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

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

There is no fiscal impact associated with this action.

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

Commissioner Roberts introduced the following ordinance on FIRST reading:

ORDINANCE NO. C-12-44

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

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

O-4 12-2412 QUASI-JUDICIAL - SECOND READING OF ORDINANCE – VACATION OF RIGHT-OF-WAY - NE 5 Terrace, south of NE 5 Street and west of Federal Highway - Case 7-P-12
Applicant: The Pearl at Flagler Village

There is no fiscal impact associated with this action.

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

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

Vice Mayor Rodstrom introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-12-41

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF NORTHEAST 5 TERRACE LYING BETWEEN BLOCK 32, "RE-SUBDIVISION OF BLOCKS 2-31-32 OF NORTH LAUDERDALE", ACCORDING TO THE PLAT THEREOF,

RECORDED IN PLAT BOOK 5, PAGE 25 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BLOCK 33, "AMENDED PLAT OF NORTH LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 182 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LOCATED WEST OF NORTH FEDERAL HIGHWAY (US1;SR5), SOUTH OF NORTHEAST 5 STREET, EAST OF NORTHEAST 5 AVENUE AND NORTH OF NORTHEAST 4 STREET, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

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

O-5 12-2394 SECOND READING OF ORDINANCE AMENDING CODE OF ORDINANCES - SECTIONS 26-91(C) AND 26-161 - Increase surcharge for School Crossing Guard Program and increase maximum parking fee at Fort Lauderdale Beach Park Lot for Special Events

Please see funding information attached to these minutes.

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

Commissioner Roberts introduced the following ordinance on SECOND reading:

ORDINANCE NO. C-12-40

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE RELATING TO PARKING; AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED "TRAFFIC" BY AMENDING SECTION 26-91 "SCHEDULE OF FINES" TO PROVIDE FOR AN INCREASE IN PENALTIES FOR CERTAIN PARKING VIOLATIONS, AND TO INCREASE THE SURCHARGE IMPOSED TO FUND THE SCHOOL CROSSING GUARD PROGRAM; AMENDING SECTION 26-161 "RATES AND HOURS FOR ON AND OFF-STREET PARKING" TO PROVIDE FOR AN INCREASE IN MAXIMUM

PARKING FEE AT A GIVEN PARKING LOT WHEN SPECIAL
EVENTS ARE SCHEDULED; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CONFLICTS; AND
PROVIDING FOR AN EFFECTIVE DATE.

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

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

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk