

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, May 20, 2014

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

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

Meeting was called to order at 6:04 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 4 - Mayor John P. "Jack" Seiler, Vice-Mayor Romney Rogers, Commissioner Bruce G. Roberts and Commissioner Dean J. Trantalis

Not Present: 1 – Commissioner Bobby B. DuBose (excused)

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jonda K. Joseph, Assistant City Attorney Cynthia A. Everett and Sergeant At Arms Sergeant Todd Bunin

Vote Roll Call Order for this Meeting

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

Invocation

Rabbi David Spey, Temple Bat Yam of East Fort Lauderdale

Pledge of Allegiance

Led by Federal Judge Marcia Cooke

Approval of MINUTES and Agenda

No public comments were submitted by email for the May 20, 2014 regular meeting.

14-0648 APPROVAL OF MINUTES for April 15, 2014 Regular Meeting

Motion made by Commissioner Roberts and seconded by Vice-Mayor Rogers to approve the noted minutes.

APPROVED

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

PRESENTATIONS

PRES-1 14-0688 NEW RIVER MIDDLE SCHOOL - PRESENTATION BY 7th GRADE SCIENCE CLASS STUDENTS ON THEIR PROJECT AT WHEELABRATOR SYMPOSIUM FOR ENVIRONMENT AND EDUCATION

The New River Middle School seventh-grade science class presented their project from the Wheelabrator Symposium for Environment and Education. Peter Kendrigan, southern regional vice-president for Wheelabrator Technologies, provided introductory remarks. The students provided an overview of their project.

PRES-2 14-0662 PROCLAMATION DECLARING MAY 24, 2014, AS JESSICA JUNE CHILDREN'S CANCER FOUNDATION DAY IN THE CITY OF FORT LAUDERDALE

Commissioner Trantalis presented the proclamation to James DeAnda, director of operations for the Jessica June Children's Cancer Foundation. DeAnda spoke on behalf of Sandra Muvdi, founder of the Foundation and made remarks about its work in helping children fight cancer.

PRES-3 14-0685 PROCLAMATION DECLARING MAY, 2014, AS MAKE A WISH MONTH IN THE CITY OF FORT LAUDERDALE

Vice-Mayor Rogers presented the proclamation to Brett Rose, board member of the Make A Wish Foundation, Southern Florida Chapter. Rose thanked the Commission.

PRES-4 14-0686 PROCLAMATION DECLARING MAY, 2014, AS LYME DISEASE AWARENESS MONTH IN THE CITY OF FORT LAUDERDALE

Recipient Blake Wilkins, a local college student, was not present.

PRES-5 14-0687 COMMUNITY APPEARANCE BOARD WOW AWARD FOR DISTRICT

Commissioner Roberts recognized James Stellas and Craig Johnston as recipients of the District I WOW Award for improvements to their Coral Ridge home. Stellas said they are pleased to make Fort Lauderdale their home and thanked the Commission for recognizing their efforts. Johnston provided information for Mayor Seiler on the process of making upgrades.

PRES-6 14-0652 RECOGNITION OF POLICE OFFICER OF THE MONTH FOR MAY, 2014

Police Chief Frank Adderley recognized Sergeant Luan Melushi as Police Officer of the Month for May 2014 and highlighted his efforts in catching armed robbers.

CONSENT AGENDA

Mayor Seiler announced the procedure for consent items.

Motion made by Commissioner Roberts and seconded by Vice-Mayor Rogers that Consent Agenda Items CM-3, CM-6, CR-1, PUR-5, PUR-7 and PUR-12 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended.

CONSENT MOTION

CM-1 14-0603 EVENT AGREEMENTS: Rockstar WWA Wakeboard World Championships, Dig the Beach Volleyball Series and Hot 105/Neutrogena Ice Cream Giveaway

APPROVED

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

CM-2 14-0604 EVENT AGREEMENT AND RELATED ROAD CLOSING: Mankind Block Party**APPROVED**

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

CM-3 14-0651 THREE-YEAR CONTRACT FOR LEGAL PUBLICATIONS AND ONLINE RESEARCH SERVICES - \$2,770 monthly with 4% increase in years two and three - West Publishing Corporation, Thomson Reuters Applications, Inc., West Services, Inc., Thomson Reuters (Legal) Inc., and their affiliates

Vice-Mayor Rogers expressed concern that the cost for this item amounts to \$100,000 over three years, and there is no competing bid. A similar service, LexisNexis, is less expensive. This is not proprietary. The City Attorney acknowledged that three members of the Commission are attorneys and are therefore familiar with legal research via computer. For many years the only service available was West Law. Each service is unique, and she believed West Law is in fact proprietary and sets the standard. Several years ago the Commission approved West Law, and the only reason this item is before the Commission now is because it was a one-year contract that is expiring. LexisNexis is the only real alternative and it was examined, but the product is not the same. The price of West Law is reasonable because of what it offers, the number of attorneys using it and it is competitive with what other cities pay for this service. Mayor Seiler shared Vice-Mayor Rogers' concerns. His law firm used West Law and switched to LexisNexis, realizing considerable savings. He also was concerned about 4 percent increases in years two and three of the contract. The City Attorney said that traditionally there are increases over the course of a multi-year contract. LexisNexis could change its price if the Commission rejects the West Law proposal. The contract expires at the end of May. She could not guarantee that West Law would hold the same pricing. Vice-Mayor Rogers was willing to compare the two proposals. His law firm pays a flat \$500 per month rate to LexisNexis for 11 attorneys although he realized the City would be receiving more services. The City Attorney said there is about an \$800 difference but it is difficult to compare the two services because the features offered are different. She pointed out that West Law wanted a higher annual increase but her staff negotiated it down to 4 percent.

Mayor Seiler said he would not support it without competitive bidding and with a 4 percent increase. The City Attorney explained that they obtained a competing bid from LexisNexis and compared it. In considering other systems that the City has used, she believed this is consistent in terms of pricing. In response to Commissioner Trantalis, she said the price comparison between the two services showed about a \$1,000 difference per month with West Law being higher. A couple of years ago, LexisNexis cost about \$1,500 per month, and West Law cost about \$2,500 per month.

This item was continued to later in the meeting; on Page 14.

CM-4 14-0592 GRANT APPLICATION - \$305,306 - PORT SECURITY GRANT PROGRAM - two police boats and radiation detectors for patrols and special events - United States Department of Homeland Security**APPROVED**

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

CM-5 14-0665 GRANT APPLICATION - \$112,973 - Edward Byrne Justice Assistance Local Solicitation Grant Program - United States Department of Justice via Broward Sheriff's Office

APPROVED

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

CM-6 14-0673 REVOCABLE LICENSE AGREEMENT AND MAINTENANCE OF TRAFFIC PLAN - AMENDMENT RELATING TO CLOSURE OF SE 2 COURT - 8th Avenue Residence at 215 SE 8 Avenue - Rock-French Quarter, LLC

Mike Weymouth, representing Las Olas Holding Company, said that since the item was deferred he reviewed the plans with the Applicant. Las Olas Holding does not have a problem. They are only concerned about the installation of a sewer system on 2 Court, because it will interfere with access to an employee parking lot. Stiles Corp. has agreed to install a temporary access drive from 2 Street to the parking lot at their cost before the Maintenance of Traffic (MOT) plan is put in place.

Mike Wood, representing the Applicant, agreed to the terms outlined by Weymouth. He provided the information to Assistant City Attorney Bob Dunckel for inclusion in the MOT.

Motion made by Vice-Mayor Rogers and seconded by Commissioner Roberts to approve the item as amended and described above.

APPROVED AS AMENDED TO PROVIDE A TEMPORARY ACCESS DRIVE TO EMPLOYEE PARKING LOT ON 2 STREET AT COST OF STILES CORPORATION

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

CONSENT RESOLUTION

CR-1 14-0480 BUDGET AMENDMENT - REHABILITATION OF BROWARD CENTER FOR THE PERFORMING ARTS - appropriation - fiscal year 2014

Mayor Seiler announced revisions to Commission Agenda Memorandum 14-0480. The payment will be made in Fiscal Year 2014. It will reduce the Center's debt service related to their capital improvements by an estimated \$118,613 and will generate an additional \$118,613 in match from a challenge grant.

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

ADOPTED AS AMENDED WITH REGARD TO \$118,613 GENERATED AS A RESULT OF PRE-PAYMENT AND REDUCTION IN SERVICE

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

CR-2 14-0429 CITY CEMETERIES GENERAL PRICE LIST AND VETERANS SPECIAL PRICING - effective June 1, 2014.

Revisions were announced to Commission Agenda Memorandum 14-0429.

ADOPTED

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

- CR-3 14-0465** BEACH WAYFINDING SIGNAGE - CONSTRUCTION AGREEMENT AND COMMUNITY AESTHETIC AGREEMENT - Florida Department of Transportation

ADOPTED

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

PURCHASING AGENDA

- PUR-1 14-0295** ONE-YEAR CONTRACT EXTENSIONS FOR GENERAL ENVIRONMENTAL ENGINEERING CONSULTANT SERVICES in the annual estimated amount of \$200,000 from 1) AMEC Environment & Infrastructure, Inc., 2) Environmental Consulting & Technology, Inc., 3) EE&G Environmental Services, LLC, 4) E Sciences, Incorporated, and 5) Miller, Legg & Associates, Inc.

APPROVED

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

- PUR-2 14-0388** CONTRACT FOR EARTHWORK IMPROVEMENTS, PARCELS B-C-D, EXECUTIVE AIRPORT INDUSTRIAL PARK in the amount of \$1,278,970 from JMS Construction Services Inc.

APPROVED

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

- PUR-3 14-0519** THIRTY-NINE MONTH CONTRACTS FOR THIRD PARTY ADMINISTRATOR FOR SELF-FUNDED GROUP HEALTH AND WELLNESS PROGRAM in the estimated annual amount of \$844,856 with Connecticut General Life Insurance Company and authorize City Manager to approve two, one-year renewal options contingent upon appropriation of funds

APPROVED

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

- PUR-4 14-0554** ONE-YEAR CONTRACT FOR LIQUID CHLORINE IN RAIL CARS - estimated annual amount of \$444,690 - Allied Universal Corp. and authorize City Manager to approve three one-year renewal options,

contingent upon appropriation of funds

APPROVED

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

PUR-5 14-0531 POLYMER PUMPS AND MOTORS - REJECT ALL BIDS

Commissioner Trantalis expressed concerns about the proprietary nature of this item and PUR-12. The City Manager said this item deals with pumps and motors at the City's lift stations. Staff is attempting to standardize replacement parts for maintenance purposes. If it is part of an existing system, it is replaced with like parts. PUR-12 deals with noise-monitoring terminals, which is a larger system. The sensors have to be compatible with the software and the main system. He believed there will be proprietary items on a frequent basis. When parts break, they must be replaced with like parts to keep the system consistent. If an issue exists, for example, on a Crown Victoria patrol car, proprietary parts for a Ford system are needed.

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

APPROVED

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

PUR-6 14-0584 CANCEL CONTRACT FOR LANDSCAPING MAINTENANCE SERVICES AT EXECUTIVE AIRPORT with ABM Services (Delaware) Inc. d/b/a OneSource Landscaping & Golf Services

APPROVED

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

PUR-7 14-0553 FINAL RANKING AND COMMENCEMENT OF CONTRACT NEGOTIATIONS - BRIDGE ENGINEERING CONSULTING SERVICES - top ranked proposer Hardesty & Hanover, LLC.

Commissioner Roberts pointed out the language has changed in the recommendation for this item as well as PUR-8 and PUR-9. Previous contracts noted that approval was based on staff's recommendation. This language indicates that the Commission is certifying the proposer as qualified pursuant to law and the City's regulations, and finds this proposer to be fully qualified to render the required service. The City Attorney said her office was responsible for the language change in an effort to duplicate the wording used in the Consultant Competitive Negotiation Act, which says the agency must certify that the firm or individual is qualified to do the work. There should be no problem with saying that the determination is based on recommendations or information provided by staff. The City Attorney confirmed for Vice-Mayor Rogers that there was no change in process due to the new language.

Commissioner Roberts requested that language be included for this item and in the future providing that the Commission would certify based on staff's recommendation.

Motion made by Commissioner Roberts and seconded by Commissioner Trantalis to approve the item

as amended.

APPROVED AS AMENDED TO PROVIDE THAT THE CITY COMMISSION'S CERTIFICATION AS TO THE PROPOSER'S QUALIFICATIONS IS BASED ON STAFF'S RECOMMENDATION AND FOR SUCH PROVISION TO BE INCLUDED IN FUTURE ITEMS OF THIS NATURE

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

PUR-8 14-0555 FINAL RANKING AND COMMENCEMENT OF CONTRACT NEGOTIATIONS - SURVEY AND MAPPING CONSULTING SERVICES - three top ranked proposers - 1) Keith and Schnars, P.A., 2) Craven, Thompson & Associates, Inc. and 3) Calvin, Giordano & Associates, Inc.

APPROVED

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

PUR-9 14-0561 FINAL RANKING AND COMMENCEMENT OF CONTRACT NEGOTIATIONS - COST ESTIMATING CONSULTING SERVICES - two top ranked proposers Atkins North America, Inc. and CES Consultants, Inc.

APPROVED

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

PUR-10 14-0577 FINAL RANKING AND COMMENCEMENT OF CONTRACT NEGOTIATIONS - AVIATION CONSULTING SERVICES AT EXECUTIVE AIRPORT - top ranked proposer HDR Engineering Inc.

APPROVED

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

PUR-11 14-0606 PURCHASE HARDWARE AND SOFTWARE SUPPORT FOR THE KRONOS TIMEKEEPING SYSTEM in the estimated annual amount not to exceed \$59,797 from Kronos (US), Inc.

APPROVED

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

PUR-12 14-0542 PROPRIETARY PURCHASE - NOISE MONITORING TERMINALS in the amount of \$115,716 from Bruel & Kjaer EMS Inc.

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

APPROVED

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

RESOLUTIONS

R-1 14-0623 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS - vacancy information provided under Conference Item BD-2

The City Clerk announced appointments who were the subjects of this resolution:

Budget Advisory Board	Nadine Hankerson (Commissioner DuBose)
Community Appearance Board	Ronald Alose (Mayor Seiler)
Community Services Board	Fred Roccanti (Vice-Mayor Rogers)
Education Advisory Board	Towana Bonaparte (Mayor Seiler)
Enterprise Zone Development Agency	Blake Trueblood (Consensus)
Fire-Rescue Blue Ribbon Committee	Douglas Meade (Commissioner Roberts) Frederick H. Nesbitt (Commissioner Roberts) Thornie Jarrett (Commissioner Trantalis) Steve Kirsch (Commissioner Trantalis) Nadine Hankerson (Commissioner DuBose) Bryson Michael Ridgway (Commissioner DuBose)
Historic Preservation Board	Brenda Flowers (Commissioner DuBose)
Northwest-Progresso-Flagler Heights Redevelopment	Dylan Lagi (Commissioner Trantalis)
Sustainability Advisory Board	William Goetz (Commissioner Roberts)

The City Attorney was unable to confirm for Commissioner Trantalis whether Dylan Lagi's term on the Northwest-Progresso-Flagler Heights Redevelopment Board would expire May 21, 2015, because he is filling an unexpired three-year term, or whether he would serve three years from today's date. She agreed to look into it.

Mayor Seiler opened the floor for public comment.

John Weaver, president of the Central Beach Alliance (CBA), said the CBA wanted Steve Glassman appointed to the Planning and Zoning Board because they understood that Bradford Cohen's term expired in May of 2014. Mayor Seiler explained that there is a legal opinion that Cohen's term continues until 2015.

Charles King, 105 North Victoria Park Road, said he is pleased with the current membership of the Planning and Zoning Board.

There was no one else wishing to speak.

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

ADOPTED

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

R-2 14-0535 QUASI-JUDICIAL - Catering Facility Plat - Case PL14002

Applicant: Land Parcel FLL LLC

Location: South Side of NW 4 Street, west of FEC railroad

Zoning: Heavy Commercial/Light Industrial (B-3)

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

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

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

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

ADOPTED

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

R-3 14-0541 QUASI-JUDICIAL - Midtown Fifteen Plat - Case PL14001

Applicant: 610 SW 15 St, LLC

Location: 610 SW 15 Street

Zoning: Residential Single Family/Duplex/Low Medium Density (RD-15)

All individuals wishing to speak on this matter were sworn in.

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

Mayor Seiler opened the floor for public comment.

Steve Cook, 708 SW 16 Court, said this neighborhood is almost entirely single-family homes and duplexes. This developer originally proposed a duplex in order to avoid this process. There is an oak tree on the street that the residents do not want moved. Supposedly there is a new site plan which he would like to review before expressing an opinion.

Maxine Streeter, 705 SW 13 Street, said the neighborhood is hopeful that they can work with the developer and arrive at a proposal that is acceptable to the neighborhood.

Attorney Nectaria Chakas of Lochrie & Chakas, P.A., representing the Applicant, noted the concerns expressed appear to be related to the site plan. This is a plat application. A concurrent site plan is pending. Public hearings are required for the site plan, and it is subject to review by the Planning and Zoning Board as well as the Commission through the call-up process. They are meeting with the neighborhood and are hopeful to reach an agreement. The Applicant postponed the site plan hearing before the Planning and Zoning Board in order to meet with the neighborhood. The plat process takes

longer than the site plan, which is why it has been initiated. Mayor Seiler said there are many reasonable people involved and he believes good compromises can be reached to any issues the neighborhood may have.

In response to Commissioner Trantalis, Chakas said the Applicant is proposing cluster dwellings. She believed the neighborhood may want a different type of development but she did not want to speak for them. The dwellings look like townhouses. There were two units per building for a total of four units. The area is zoned RD-15; it is not a single-family-designated neighborhood. Vice-Mayor Rogers indicated there is another plan with three units that appears to be a much better product. It is a unique street in terms of tree canopy and decidedly worth preserving. Within the bounds of property rights, something good for the property owner and neighborhood has to be accomplished.

In response to Commissioner Trantalis, Cook explained that the neighborhood is predominantly single-family homes and duplexes. Under the zoning, cluster dwellings are allowed and there is a great deal of leeway. They are trying to preserve the current character of the neighborhood. This plat will allow more units and the placement will be sideways to accommodate more units. Vice-Mayor Rogers said the contrast between a cluster unit and a duplex is that only the garage is visible from the street for duplexes. In this case there is an opportunity to do something that appears to be a single-family home, but it is actually three units and the garage is not visible from the street. It is an opportunity to do something better than what the zoning allows. Cook commented on the initial proposal being two duplexes with 12 parking spaces on a single-family lot. It looked like a doctor's office.

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

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

ADOPTED

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

PUBLIC HEARINGS

PH-1 14-0598 MOTION - APPLICATIONS FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY - FOUR LIMOUSINE AND SHUTTLE VEHICLES

Applicant: Toledo Global Enterprises Inc. dba Elite Shuttle & Limo Transportation

Mayor Seiler opened the floor for public comment.

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

Vice-Mayor Rogers said he spoke to two individuals who have an existing operation and said this Applicant has been advertising and operating without a license. The backup information for this item indicates the application was submitted back in July of 2013. He explained to them that the regulation is for safety and to ensure a proper, efficient, effective operation, not to eliminate competition. He would like

staff to do a better job moving applications through the process. The City Manager said these companies would still be permitted to operate outside of the city with their County documentation. The application was delayed due to a lack of staffing. The fee is nominal and very few applications are submitted, so it does not justify the staff time.

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

APPROVED

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

PH-2 14-0599 MOTION - APPLICATION FOR NON-MOTORIZED VEHICLE LICENSE - TOURING BIKE BUS

Applicant: Pedal On LLC dba Pedal On

Mayor Seiler opened the floor for public comment.

Eugenia Ellis, representing Downtown Himmarshee Village Association and Property Owners of Las Olas, indicated that both of these entities are engaged along the route defined in the backup information for this agenda item. She expressed concern that this bike bus appeared last February in Himmarshee Village and Las Olas Boulevard, operating without a license. They were asked to leave and they complied. This type of conveyance impacts traffic. Major roadways are not the appropriate place for them. Additionally, bike bus parking on SE 8 Avenue was reported by bar and restaurant owners on Las Olas. She was concerned they are jumping the gun. It took a long time for the current vendor to establish routes. This application states that they want to operate occasionally until midnight, which is a long time for a bar crawl. The entertainment district becomes crowded and a little rowdy late into the evening and such an addition to the area brings concern. She emphasized that they need to comply with the rules and regulations. They should use ancillary roads behind Las Olas Boulevard. They are not to park on SE 8 Avenue.

Applicant Steven Aljadah confirmed for Commissioner Roberts that the route runs over the 11 Avenue Bridge into residential areas. The bike will seat up to 15 people. Commissioner Roberts expressed concern about traversing through residential areas until 10 p.m. This may not be an appropriate route. There are traffic congestion and safety concerns. Aljadah said the owner has been working with City staff to establish an appropriate route. The only part of the route that goes through a residential neighborhood is between 7th and 8th, north of Las Olas Boulevard.

Transportation and Mobility Director Diana Alarcon said the Applicant was asked to provide a wish list of routes that staff adjusts to the right fit for traffic and the community. The City Manager referenced Exhibit 1 to Commission Agenda Memorandum 14-0599. The first condition of approval limits the operation to the Himmarshee area of downtown Fort Lauderdale with the exception of Las Olas Boulevard east of SW 6 Avenue, Andrews Avenue, SW 7 Avenue and Broward Boulevard only on the sections with speed limits of 30 mph or less. In response to Vice-Mayor Rogers, the City Manager explained that Exhibit 3 is Pedal On's application. Staff's conditions are contained in Exhibit 1 and the commission agenda memorandum. Vice-Mayor Rogers was not opposed to historic neighborhood touring, but nighttime residential touring.

Commissioner Roberts wanted to defer the item so a clean version of staff's recommendation could be provided. The City Manager advised that Exhibit 1 is a summary of all conditions recommended.

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

Commissioner Roberts was willing to move forward with all conditions in Exhibit 1 incorporated into the agreement. With additional discussion ensuing, Alarcon explained the process. The conditions specify that the Applicant can in no way exceed the boundaries of their original application and then there are additional boundary restrictions. The City Manager suggested striking the words from the first condition of Exhibit 1, "not authorized to operate outside the boundaries established on the route map included in the Certificate of Public Convenience and Necessity Application (Exhibit 3, pages 7 and 8)."

Motion made by Commissioner Roberts and seconded by Vice-Mayor Rogers to approve the item as recommended including conditions in Exhibit 1 of Commission Agenda Memorandum 14-0599 and deleting "not authorized to operate outside of the boundaries established on the route map included in the certificate of public convenience and necessity application (Exhibit 3, pages 7 and 8)..

APPROVED AS RECOMMENDED INCLUDING CONDITIONS IN EXHIBIT 1 OF COMMISSION AGENDA MEMORANDUM 14-0599 AND DELETING "NOT AUTHORIZED TO OPERATE OUTSIDE OF THE BOUNDARIES ESTABLISHED ON THE ROUTE MAP" INCLUDED IN THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY APPLICATION (EXHIBIT 3, PAGES 7 AND 8) IN THE FIRST CONDITION

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

ORDINANCES

O-1 14-0463 QUASI-JUDICIAL - SECOND READING OF ORDINANCE - VACATION OF 50 FOOT RIGHT-OF-WAY - Case V14001

Applicant: John T. Loos
Location: West of Seabreeze Boulevard and East of Lake Drive
Zoning: Residential Single Family/Low Density District (RS-4.4)
Future Land Use: Residential

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

Mayor Seiler opened the floor for public comment.

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

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

ADOPTED ON SECOND READING

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

O-2 14-0582 SECOND READING OF ORDINANCE AMENDING CODE OF ORDINANCES, SECTIONS 28-76, 28-141, 28-143, 28-144, 28-145

AND 28-197 - INCREASES TO WASTEWATER RATES, TAPPING CHARGES, WATER RATES, MASTER METER CHARGES, SERVICE AVAILABILITY CHARGES, SPRINKLING CHARGES, FIRE SERVICE CHARGES AND STORMWATER MANAGEMENT RATES

Mayor Seiler opened the floor for public comment.

Charles King, 105 North Victoria Park Road, said it appears the Commission's stated goal is to raise water rates 5 percent annually in order to balance the budget however he did not consider the inflation rate to be 5 percent. The rate structure seems complicated. He recently installed an irrigation meter and thought he would save by not paying the sewer charge for sprinkling. He found out that more is charged for water coming through a one-inch meter. He felt a lot of people feel they are not getting a fair deal on their water bills. The more water used, the more expensive it is. When usage goes down, the price is raised. He suggested raising the pricing to municipalities that contract with Fort Lauderdale for water. He wanted to see consistent rates.

There was no one else wishing to speak.

Commissioner Roberts commented that when comparing water rates with other municipalities and jurisdictions, Fort Lauderdale is in the bottom third or quarter. The City Manager advised that the City is in the bottom sixth. The City strongly encourages residents to use rain barrels to collect water and use for irrigation purposes.

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

ADOPTED ON SECOND READING

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

CM-3 14-0651 THREE-YEAR CONTRACT FOR LEGAL PUBLICATIONS AND ONLINE RESEARCH SERVICES - \$2,770 monthly with 4% increase in years two and three - West Publishing Corporation, Thomson Reuters Applications, Inc., West Services, Inc., Thomson Reuters (Legal) Inc., and their affiliates

Continued from Page 4.

The City Attorney advised that she would not be able to resolve this issue tonight. She has a lower price for LexisNexis, but it was for a lesser number of attorneys and she does not know if LexisNexis would provide the same price for a greater number. She wanted an understanding of whether there is a fundamental opposition to West Law. If pricing is the sole problem, she would attempt to obtain an apples-to-apples comparison. LexisNexis also requires annual increases. Mayor Seiler and Vice-Mayor Rogers said their services do not have increases. Mayor Seiler felt that Purchasing can resolve such issues. The City Manager said if proposals will be solicited, there is a formal process. The City Attorney agreed to provide the comparative pricing information from LexisNexis. She confirmed the service expires at the end of the month.

Mayor Seiler suggested asking both companies to provide their best offer. Vice-Mayor Rogers added that they may not want to sign a three-year contract. He prefers a year-long contract. The City Attorney said previously the City has entered one-year contracts. Both firms had automatic increases. LexisNexis

proposed 5 percent. Vice-Mayor Rogers thought the firms would offer better prices if they knew they were competing.

The City Auditor added that typically all purchases go through the Procurement Department. He was unaware that this one did not. He felt it should go through the normal procurement process and let that department handle the matter. The City Attorney said it did not go through that process because this is typically viewed as a proprietary item, but it is clear that Vice-Mayor Rogers disagrees with that.

Motion made by Commissioner Roberts and seconded by Commissioner Trantalis to defer the item.

Mayor Seiler encouraged the City Attorney to consider the issue raised by the City Auditor and the City Manager and agreed with Vice-Mayor Rogers that the firms are competitive. The City Attorney agreed. She believed West Law was aware the City is also considering LexisNexis. Mayor Seiler thought it appears they raised the price this year by a couple hundred dollars and tacked on annual increases. The City Attorney advised that is because the contract was for three years rather than one. Theoretically the savings is lower in a multi-year contract.

DEFERRED

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

There being no other matters to come before the Commission, the meeting was adjourned at 7:54 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk