

City of Fort Lauderdale

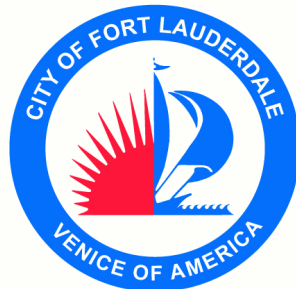
City Commission Regular Meeting

Agenda

Tuesday, October 7, 2014 - 6:00 PM

City Commission Chambers

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



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

ROLL CALL**Invocation**

Pastor Dwayne Black, The Sanctuary, Second Presbyterian Church of Fort Lauderdale

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

[14-1267](#) APPROVAL OF MINUTES for August 19, 2014 Regular Meeting

Attachments: [DRAFT August 19, 2014 Regular Meeting Minutes](#)

PRESENTATIONS

PRES-1 [14-1272](#) THIRD ANNUAL BEACH TO GLADES CHALLENGE ON OCTOBER 25
- PRESENTATION BY FORT LAUDERDALE STRIKERS

PRES-2 [14-1273](#) PROCLAMATION DECLARING THE MONTH OF NOVEMBER, 2014,
AS PANCREATIC CANCER AWARENESS MONTH IN THE CITY OF
FORT LAUDERDALE

PRES-3 [14-1191](#) PROCLAMATION DECLARING THE WEEK OF OCTOBER 6-10, 2014
AS CUSTOMER SERVICE WEEK IN THE CITY OF FORT
LAUDERDALE

PRES-4 [14-1268](#) PROCLAMATION DECLARING THE WEEK OF OCTOBER 5-11, 2014
AS FIRE PREVENTION WEEK IN THE CITY OF FORT LAUDERDALE

CONSENT AGENDA

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

CONSENT MOTION

- CM-1** [14-1162](#) EVENT AGREEMENTS: 1) Best Roofing's 2nd Annual Trunk or Treat Benefiting the Pantry, 2) Patient and Staff Appreciation and 3) Right Way Ministries Garage Sale
- Attachments:** [Commission Agenda Memo #14-1162](#)
- [Ex 1 - Best Roofing's 2nd Annual Event app.pdf](#)
- [Ex 1a - Best Roofing's 2nd Annual site plan.pdf](#)
- [Ex 2 - Patient and Staff Appreciation app.pdf](#)
- [Ex 2a - Patient and Staff Appreciation site plan.pdf](#)
- [Ex 3 - Right Way Ministries app.pdf](#)
- [Ex 3a - Right Way Ministries site plan.pdf](#)
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- CM-2** [14-1163](#) EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: 1) Dillard High School Community Homecoming Parade, 2) Seminole Hard Rock Winterfest Boat Parade, 3) Trick or Treat on SW 2nd Street and 4) Food in Motion: Flagler Village Green Market
- Attachments:** [Commission Agenda Memo # 14-1163](#)
- [Ex 1 - Dillard High School Parade app.pdf](#)
- [Ex 1a - Dillard High School Parade route.pdf](#)
- [Ex 2 - Seminole Hard Rock Winterfest Boat Parade app.](#)
- [Ex 2a - Seminole Hard Rock Winterfest Boat Parade route](#)
- [Ex 3 - Trick or Treat on SW 2nd Street app.pdf](#)
- [Ex 3a - Trick or Treat on SW 2nd Street site plan.pdf](#)
- [Ex 4 - Flagler Greenmarket App .pdf](#)
- [Ex 4a - Flagler Greenmarket Site Plan.pdf](#)
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- CM-3** [14-1094](#) BROWARD ADDICTION RECOVERY CENTER SITING - Interlocal Agreement with Broward County
- Attachments:** [Commission Agenda Memo 14-1094](#)
- [BARC Interlocal Agreement](#)
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- CM-4** [14-1196](#) ACCEPTANCE OF GRANT FUNDS - \$30,000 - RE-ENGAGE FOR GOOD CITY CHALLENGE GRANT - Volunteer Services Network Project - Community Foundation of Broward Inc.
- Attachments:** [Commission Agenda Memo 14-1196](#)
- [EX 1 Letter from Foundation](#)
- [EX 2 Project Contract](#)

- CM-5** [14-1167](#) ACCEPTANCE OF GRANT FUNDS - additional \$55,485 - ASSISTANCE TO FIREFIGHTERS GRANT - United States Department of Homeland Security and Federal Emergency Management Agency (FEMA)
Attachments: [Commission Agenda Memo 14-1167](#)
 [CAM 14-1167 EX 1 Grant Acceptance Letter](#)
- CM-6** [14-1148](#) ACCEPTANCE OF GRANT FUNDS - \$150,000 - CANAL MAINTENANCE DREDGING IN LAUDERDALE ISLES - Florida Department of Environmental Protection
Attachments: [Commission Agenda Memo 14-1148](#)
 [Exhibit 1 - State Financial Agreement DEP Agreement NO. 15BO1](#)
- CM-7** [14-1140](#) CONTRACT RENEWALS - JANUARY, FEBRUARY, MARCH 2015
Attachments: [Commission Agenda Memo 14-1140](#)
 [EX 1 - List of contract renewals](#)
- CM-8** [14-1238](#) WEST YARD PARTNERS, LLC, ET AL v CITY SETTLEMENT AGREEMENT AND RELEASE (Case 0:14-cv-60974-WJZ) - Lauderdale Marine Center
Attachments: [Commission Agenda Memo 14-1238](#)
 [Settlement Agreement](#)
- CM-9** [14-1112](#) SETTLEMENT OF WORKERS' COMPENSATION CLAIMS WC-11-14719; WC-13-15096; and WC-13-15261 (Gerard Tanelus) - \$22,500
Attachments: [Commission Agenda Memo 14-1112](#)
- CM-10** [14-1161](#) SETTLEMENT OF WORKERS' COMPENSATION CLAIM WC-01-10678 (M. Diane Marshall) - \$470,000
Attachments: [Commission Agenda Memo 14-1161](#)
- CM-11** [14-1207](#) SETTLEMENT OF GENERAL LIABILITY CLAIM GL 13-757C (Philomena Dibisceglie) - \$30,000
Attachments: [Commission Agenda Memo 14-1207](#)
- CM-12** [14-1203](#) PURCHASE PUBLIC OFFICIALS AND EMPLOYMENT PRACTICES LIABILITY INSURANCE - \$161,396
Attachments: [Commission Agenda Memo 14-1203](#)
 [Exhibit 1 - Fort Lauderdale PO-EPL Quote 2014-2015](#)
- CM-13** [14-1204](#) PROPERTY INSURANCE - use of the negotiation method to obtain property insurance premium quote
Attachments: [Commission Agenda Memo 14-1204](#)

- CM-14** [14-1205](#) STOP-LOSS INSURANCE - use of the negotiation method to obtain premium quote
Attachments: [Commission Agenda Memo 14-1205](#)
- CM-15** [14-1189](#) AMENDMENT 4 TO FREQUENCY RECONFIGURATION AGREEMENT - PUBLIC SAFETY 800 MHz RADIO COMMUNICATIONS - Nextel South Corp. - accepting \$41,156.50 reimbursement for additional cost of change
Attachments: [Commission Agenda Memo 14-1189](#)
 [EX 1 Amendment 4 Sprint-Nextel FRA](#)
- CM-16** [14-1160](#) USE OF DOCKAGE AS LAS OLAS MARINA - 2014 FORT LAUDERDALE INTERNATIONAL BOAT SHOW - Agreement with Yachting Promotions, Inc. and Marine Industries Association of South Florida, Inc. - October 29, 2014 through November 4, 2014
Attachments: [Commission Agenda Memo #14-1160](#)
 [Ex 1 - Fee Schedule.pdf](#)
 [Ex 2 - Agreement](#)
- CM-17** [14-1177](#) TORTUGA ROCK THE OCEAN MUSIC FESTIVAL - Second Extension to Agreement with TMF2013, LLC - April 11 - 12, 2015.
Attachments: [Commission Agenda Memo 14-1177](#)
 [EX 1 - Tortuga Letter of Intent](#)
 [EX 2 - 2013 Tortuga Agreement](#)
- CM-18** [14-1277](#) TWO-MONTH SCHOOL RESOURCE OFFICER AGREEMENT RETROACTIVE TO AUGUST 18, 2014 THROUGH SEPTEMBER 30, 2014 AND ONE-YEAR RENEWAL OF SCHOOL RESOURCE OFFICER AGREEMENT OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015 - School Board of Broward County
Attachments: [CAM #14-1277 - SRO Agreements](#)
 [Exhibit 1 - 2-Month School Resource Officer Agreement](#)
 [Exhibit 2 - 1-Year School Resource Officer Agreement](#)
- CM-19** [14-1213](#) RESULTS OF APRIL 14, 2014 RECYCLING COMPOSITION STUDY PERFORMED KESSLER CONSULTING INC. AND FIRST AMENDMENT TO CORRECTIVE AGREEMENT FOR RECYCLABLES PROCESSING
Attachments: [Commission Agenda Memo 14-1213](#)
 [Exhibit 1 - Kessler Consulting- Recycling Composition Study](#)
 [Exhibit 2 - First Amendment to Corrective Agreement for Recyclables Processir](#)

- CM-20** [14-1236](#) SEGMENT II SHORE PROTECTION PROJECT - Temporary Construction Easement Agreement - Broward County - between Flamingo Avenue and Terramar Street
Attachments: [Comission Agenda Memo 14-1236](#)
 [Exhibit 1 - Temporary Construction Easement](#)
 [Exhibit 2 – Access Locations Map](#)
- CM-21** [14-0859](#) REVOCABLE LICENSE AGREEMENT AND ANCILLARY AGREEMENT - LANDSCAPE, PAVERS AND IRRIGATION IMPROVEMENTS FOR ANDREWS AVENUE - Broward County and TRG New River II, LTD.
Attachments: [Commission Agenda Memo 14-0859](#)
 [EX 1 County/City/Developer Revocable License Agreement](#)
 [EX 2 Agreement Ancillary to Revocable License Agreement](#)

CONSENT RESOLUTION

- CR-1** [14-1220](#) ADMINISTRATIVE APPEAL OF FEMA'S DEOBLIGATION OF DISASTER ASSISTANCE FOR COSTS TO REMOVE DEBRIS IN WAKE OF HURRICANES KATRINA AND WILMA - increasing fees and costs authorized to be paid to special counsel Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.
Attachments: [CAM 14-1220](#)
 [Exhibit 1 - Resolution No. 14-23](#)
 [Exhibit 2 to CAM 14-1220 \(Notification Letter from FEMA dated 1-17-14\)](#)
 [Exhibit 3 to CAM 14-1220 \(Denial Letter from FEMA dated 12-20-13\)](#)
 [Exhibit 4 to CAM 14-1220 \(Engagement letter dated 1-29-14\)](#)
 [Exhibit 5 to CAM 14-1220 \(Resume of Ernest Abbot\)](#)
 [Exhibit 6 to CAM 14-1220 \(Resume of Wendy Ellard\)](#)
 [Exhibit 7 - Proposed Resolution](#)
- CR-2** [14-1266](#) SPECIAL COUNSEL FOR TOXIC TORT MATTERS ASSERTED IN LINCOLN PARK - DURRS LITIGATION AND RELATED TO LINCOLN PARK SITE AND ENVIRONMENTAL ISSUES - amending Resolution 10-223 to provide compensation for paralegals and to establish new hourly rates - Troutman Sanders LLP
Attachments: [Commission Agenda Memorandum - 14-1266](#)
 [Exhibit 1 - Resolution](#)
 [Exhibit 2 - Resolution No. 10-223](#)
- CR-3** [14-0962](#) CONSOLIDATED BUDGET AMENDMENT TO FISCAL YEAR 2015 BUDGET - APPROPRIATION
Attachments: [CAM 14-0962 Consolidated Budget Amendment](#)
 [EX 1 Resolution - Budget Amendment](#)

- CR-4** [14-1021](#) NAMING DEPARTMENT OF SUSTAINABLE DEVELOPMENT
BUILDING THE GREG BREWTON SUSTAINABLE DEVELOPMENT
CENTER - 700 NW 19 Avenue
Attachments: [Commission Agenda Memo 14-1021](#)
 [EX 1 Guidelines for the Naming of City Parks, Recreation Areas and Major Facilities Resolution](#)
- CR-5** [14-1194](#) DOWNTOWN DEVELOPMENT AUTHORITY - LEVY OF AD
VALOREM TAXES - FISCAL YEAR 2015
Attachments: [CAM 14-1194 DDA Millage and Budget](#)
 [EX 1 Millage and Budget Information](#)
 [EX 2 - Resolution.pdf](#)
- CR-6** [14-1197](#) MUSEUM OF DISCOVERY AND SCIENCE TO BE MAINTAINED AS A
CULTURAL FACILITY - Restrictive Covenant
Attachments: [Commission Agenda Memo #14-1197.docx](#)
 [EX 1 - Restrictive Covenant.pdf](#)
- CR-7** [14-1102](#) DESIGN WATER MAIN AT BROWARD BOULEVARD BRIDGE OVER
NORTH FORK OF NEW RIVER CANAL - \$98,787.52 - Locally Funded
Agreement with Florida Department of Transportation
Attachments: [Commission Agenda Memo 14-1102](#)
 [Exhibit 1 - LFA Agreement, FM #429958-1-32-03](#)
 [Exhibit 2 - Resolution for FDOT LFA](#)
- CR-8** [14-0900](#) COMMUNITY BUS SERVICES - Interlocal Agreement with Downtown
Fort Lauderdale Transportation Management Association including
addition of Riverwalk Water Trolley and authorize City Manager to
execute on behalf of City - retroactive to October 1, 2014 and base term
of three years ending September 30, 2014 with two, one-year extension
options
Attachments: [Commission Agenda Memo 14-0900](#)
 [14-0900 EX 1 City-TMA Master ILA with Exhibits \(10.2.14\)](#)
 [14-0900 EX 2 Resolution](#)
- CR-9** [14-1014](#) COMMUNITY BUS SERVICES - Interlocal Agreement with Broward
County authorize City Manager to execute on behalf of City - retroactive
to October 1, 2014 and base term of three years ending September 30,
2014 with two, one-year extension options
Attachments: [Commission Agenda Memo 14-1014](#)
 [14-1014 EX 1 City-County Community Bus ILA](#)
 [14-1014 EX 2 Resolution](#)

- CR-10** [14-1071](#) COMMUNITY BUS SERVICES - Interlocal Agreement with Broward County for lease of a vehicle and authorize City Manager to execute on behalf of City - retroactive to October 1, 2014 and base term of three years ending September 30, 2017 with two, one-year extension options
- Attachments:** [Commission Agenda Memo 14-1071](#)
 [14-1071 EX 1 City-County Community Bus ILA - Lease Only](#)
 [14-1071 EX 2 Resolution](#)

PURCHASING AGENDA

- PUR-1** [14-0872](#) AGREEMENT FOR CREDIT CARD SERVICES - \$100,000 with American Express Travel Related Services Company, Inc.
- Attachments:** [Commission Agenda Memo 14-0872](#)
 [EX 1 - American Express agreement](#)
 [EX 2 - State Master Agreement](#)
- PUR-2** [14-1078](#) AWARD SOUTH ANDREWS AVENUE AND SE 17th STREET LARGE WATER MAIN REPLACEMENT PROJECT - \$408,869.50 to Southern Underground Industries Inc.
- Attachments:** [Commission Agenda Memo 14-1078](#)
 [EX1 - Bid Tabulation](#)
- PUR-3** [14-1126](#) PURCHASE SELF-CONTAINED BREATHING APPARATUS AND ASSOCIATED EQUIPMENT - \$1,269,476.35 - Fisher Scientific Company, L.L.C.
- Attachments:** [Commission Agenda Memo 14-1126](#)
 [EX 1 - Agreement](#)
 [EX 2 - Quote](#)
- PUR-4** [14-1139](#) ONE-YEAR CONTRACT FOR COMPOUND AND FIRE SERVICE WATER METERS - estimated annual amount of \$138,663 - HD Supply Waterworks, LTD - authorize City Manager to approve three, one-year renewal options, contingent upon appropriation of funds
- Attachments:** [Commission Agenda Memo 14-1139](#)
 [EX 1 - Bid Tabulation](#)
- PUR-5** [14-1143](#) PROPRIETARY PURCHASE OF WATER METER SHUT-OFF SERVICES - estimated annual amount of \$48,000 - Bermex, Inc.
- Attachments:** [Commission Agenda Memo 14-1143](#)
 [EX 1 - Quote](#)
 [EX 2 - Agreement](#)

- PUR-6** [14-1195](#) ONE-YEAR CONTRACT EXTENSIONS FOR STATE LEGISLATIVE LOBBYIST SERVICES - \$80,000 (total) - Ericks Consultants, Inc. (\$40,000) and Ronald L. Book, P.A. (\$40,000) and Adams St. Advocates LLC (subcontractor of Ericks Consultants, Inc.) - retroactive to October 1, 2014
Attachments: [Commission Agenda Memo 14-1195](#)

CITIZEN PRESENTATIONS

- CIT-1** [14-1231](#) KAYCE ARMSTRONG - Introducing "Shade Post" - New Location in Downtown Fort Lauderdale
Attachments: [Citizen Presentation Application](#)
- CIT-2** [14-1228](#) ART SEITZ - City of Fort Lauderdale and Barrier Island
Attachments: [Citizen Presentation Application](#)
- CIT-3** [14-1229](#) CHRISTINE TIMMON - Making Marriage Equal Using Article X, Sec. 5 of Florida Constitution
Attachments: [Citizen Presentation Application](#)
- CIT-4** [14-1232](#) TIRA MISU - Human Trafficking
Attachments: [Citizen Presentation Application](#)
- CIT-5** [14-1233](#) CHARLES KING - Police Reform
Attachments: [Citizen Presentation Application](#)

RESOLUTIONS

- R-1** [14-1186](#) APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS - vacancy information provided under Conference Item BD-2

PUBLIC HEARINGS

- PH-1** [14-0970](#) QUASI JUDICIAL - RESOLUTION - WAIVER OF LIMITATIONS OF UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 47-19.3.C AND D - relocate two of three existing triple pile clusters, install 10 foot extension to existing finger pier and install three triple pile clusters extending maximum of 125 feet from property line into Middle River - 720 NE 20 Avenue

Applicant: John C. Jr. and Cheryl J. Gorman

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Attachments: [Commission Agenda Memo #14-0970](#)

[Ex 1 - Application](#)

[Ex 2 - Code Sec 47-193](#)

[Ex 3 - July 15, 2014 Marine Advisory Board Minutes](#)

[Ex 4 - Resolution](#)

- PH-2** [14-0971](#) QUASI-JUDICIAL - RESOLUTION - WAIVER OF LIMITATIONS OF UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 47-19.3.C AND D - installation of three triple pile mooring clusters and nine mooring piles extending a maximum of 75 feet from upland property line into Intracoastal Waterway - 321 N. Birch Road

Applicant: Grand Birch, LLC

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Attachments: [Commission Agenda Memo #14-0971](#)

[Ex 1 - Application](#)

[Ex 2 - Code Sec 47-19.3](#)

[Ex 3 - July 15, 2014 Marine Advisory Board Minutes](#)

[Ex 4 - Resolution](#)

- PH-3** [14-1147](#) MOTION - SUBSTANTIAL AMENDMENT TO 2013-2014 ANNUAL ACTION PLANS OF 2010-2015 CONSOLIDATED PLANS FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Attachments: [Commission Agenda Memo 14-1147](#)

[Exhibit 1 - Published Program Amendment Ad.pdf](#)

[Exhibit 2 - Public Comment #1.pdf](#)

- PH-4** [14-1010](#) MOTION - NEW DOWNTOWN FORT LAUDERDALE
TRANSPORTATION MANAGEMENT ASSOCIATION RIVERWALK
WATER TROLLEY SERVICE PILOT PROGRAM

Attachments: [Commission Agenda Memo14-1010](#)
[14-1010 EX 1 Proposed TMA Water Trolley Map and Vessel](#)

ORDINANCES

- O-1** [14-1142](#) FIRST READING OF ORDINANCE AMENDING CODE OF
ORDINANCES - SECTION 2-127 - APPROVAL OF CHANGE ORDERS
AND TASK ORDERS

Attachments: [Commission Agenda Memo 14-1142](#)
[EX 1 - Amended Ordinance](#)

- O-2** [14-0888](#) FIRST READING OF ORDINANCE AMENDING UNIFIED LAND
DEVELOPMENT REGULATIONS, SECTION 47-18.31, SOCIAL
SERVICE FACILITY - add definitions, create criteria for approval,
amend the permitted zoning districts and adjust the level of review

Attachments: [Commission Agenda Memo 14-0888](#)
[Exhibit 1- Location Map](#)
[Exhibit 2- PZB Staff Report.pdf](#)
[Exhibit 3- 82014 PZB Minutes](#)
[Exhibit 4- Proposed Ordinance.pdf](#)

ADJOURNMENT