### **City of Fort Lauderdale**



#### **Meeting Minutes**

Tuesday, March 2, 2021 6:00 PM

City Commission Chambers
100 North Andrews Avenue, Fort Lauderdale, FL 33301

#### **Access Via:**

https://fortlauderdale.legistar.com/Calendar.aspx
www.fortlauderdale.gov/fltv
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Cable Television - Comcast Channel 78 and AT&T U-verse Channel 99

#### **City Commission Regular Meeting**

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

STEVEN GLASSMAN Vice Mayor - Commissioner - District II

HEATHER MORAITIS Commissioner - District I

ROBERT L. McKINZIE Commissioner - District III

BEN SORENSEN Commissioner - District

CHRIS LAGERBLOOM, City Manager JOHN HERBST, City Auditor JEFFREY A. MODARELLI, City Clerk ALAIN E. BOILEAU, City Attorney

#### **CALL TO ORDER**

Mayor Trantalis called the meeting to order at 6:11 p.m.

#### Pledge of Allegiance

Denea Stephens

#### **ROLL CALL**

Present: 5 - Commissioner Heather Moraitis, Vice Mayor Steven Glassman (participated telephonically), Commissioner Robert L. McKinzie (participated telephonically), Commissioner Ben Sorensen (participated telephonically) and Mayor Dean J. Trantalis

#### **QUORUM ESTABLISHED**

<u>Also Present</u>: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau and City Auditor John Herbst (participated telephonically)

#### **ANNOUNCEMENTS**

Mayor Trantalis announced details regarding the virtual format of this meeting, including how members of the public can view and participate.

#### AGENDA ANNOUNCEMENT

Mayor Trantalis announced the following modifications to the Agenda:

#### Agenda Item Added:

WALK-ON - Resolution Approving a Request for a Special Permit to Extend Construction Hours for the Broward County Convention Center Subject to the Requirements of Section 17-10 - Construction of Large or Complex Projects (Transportation and Non-Transportation) of the City of Fort Lauderdale's Code of Ordinances District - (Commission District 4)

A copy is attached to these minutes.

#### Approval of MINUTES and Agenda

21-0249

Minutes for February 2, 2021 Commission Regular Meeting and February 16, 2021 Commission Conference Meeting - (Commission Districts 1, 2, 3 and 4)

Commissioner McKinzie made a motion to approve this item and was seconded by Commissioner Sorensen.

#### **APPROVED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### **PRESENTATIONS**

### PRES- <u>21-0107</u>

Commissioner Moraitis will present a Proclamation declaring March 8-14, 2021 as Women in Aviation Worldwide Week in the City of Fort Lauderdale

Rufus James, Fort Lauderdale Executive Airport (FXE) Manager, joined Commissioner Moraitis at the podium. Commissioner Moraitis presented a Proclamation declaring *March 8-14, 2021 as Women in Aviation Worldwide Week in the City of Fort Lauderdale*, reading the Proclamation in its entirety. Commissioner Moraitis presented certificates to young ladies from the *Boys and Girls Club* working toward aviation industry careers. Sharon Curley, District 1 Resident and aircraft pilot, commented on aviation opportunities and benefits for women.

#### **PRESENTED**

#### PRES- <u>21-0201</u> 2

Commissioner Sorensen will present a Proclamation declaring March 2021 as Red Cross Month in the City of Fort Lauderdale

Commissioner Sorensen presented a Proclamation declaring *March* 2021 as Red Cross Month in the City of Fort Lauderdale, reading the Proclamation in its entirety. American Red Cross of Broward County Board Chairperson Cindy Imperato accepted the Proclamation and thanked the Commission for this recognition. Mayor Trantalis thanked Ms. Imperato for Red Cross' work in the community.

#### **PRESENTED**

## PRES- 21-0225

Vice Mayor Glassman will present a Proclamation declaring March 2021 as Bleeding Disorders Awareness Month in the City of Fort Lauderdale

Vice Mayor Glassman read a Proclamation declaring *March 2021 as Bleeding Disorders Awareness Month in the City of Fort Lauderdale*, reading the Proclamation in its entirety. Mayor Trantalis presented the Proclamation to Deborah Adams, Executive Director, Florida Hemophilia Association, and Kim Madeiros, Development Director, Florida Hemophilia Association.

#### **PRESENTED**

#### CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis explained the procedure for members of the public wishing to speak on Consent Agenda items.

#### **CONSENT AGENDA**

Mayor Trantalis announced the following Consent Agenda items had been pulled by Commission Members for separate discussion:

CP-4 Commissioner Moraitis

#### **CONSENT MOTION**

#### Approval of the Consent Agenda

Commissioner Sorensen made a motion to approve this item and was seconded by Commissioner Moraitis.

#### Approve the Consent Agenda

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

CM-1 21-0197 Motion Approving an Event Agreement and Related Road Closure
Exemptions with Mother's Against Drunk Driving, Inc. for 2021 Walk
Like MADD & MADD Dash Fort Lauderdale 5k - (Commission
Districts 2 and 4)

#### **APPROVED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

CM-2 21-0135 Motion Accepting a Grant of \$2,000 from the United States Tennis
Association (USTA) Florida Section Foundation for Tennis Equipment
- (Commission Districts 1, 2, 3 and 4)

#### **APPROVED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

CM-3 21-0138 Motion Accepting a Grant of \$4,150 from the United States Tennis
Association (USTA) Florida Section Foundation for an Adaptive
Wheelchair Tennis Program - (Commission Districts 1, 2, 3 and 4)

#### **APPROVED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

CM-4 21-0139 Motion Accepting a Grant of \$5,662 from the United States Tennis

Association (USTA) Florida Section Foundation for Tennis Program Support - (Commission Districts 1, 2, 3 and 4)

#### **APPROVED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

CM-5 <u>21-0196</u>

Motion Accepting a Grant of \$50,000 from the Florida Recreation Development Assistance Program (FRDAP) for Hortt Park Playground - (Commission District 4)

#### **APPROVED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

CM-6 21-0243

Motion Accepting FY2020 Florida Department of Transportation Grant Award Increase - \$20,000 - (Commission Districts 1, 2, 3 and 4)

#### **APPROVED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

CM-7 21-0178

Motion Authorizing Execution of the First Amendment to a Revocable License with MQMF Las Olas Owner, LLC for Temporary Right-of-Way Closures on SE 2nd Street, SE 5th Avenue, and East Las Olas Boulevard, in Association with the Eden Las Olas Development Located at 419 SE 2nd Street and Consent to Assignment of Revocable License Agreement - (Commission District 4)

#### **APPROVED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### **CONSENT RESOLUTION**

CR-1 21-0239

Resolution Approving Pay Schedule for Fiscal Year 2021 for the Collective Bargaining Agreement between the City of Fort Lauderdale and the Fort Lauderdale Professional Firefighters, Inc., International Association of Firefighters (IAFF), AFL-CIO-CLC, Local 765 effective October 1, 2020 through September 30, 2021 and Incorporating the Pay Schedule into the Collective Bargaining Agreement as Schedule A - (Commission Districts 1, 2, 3 and 4)

**ADOPTED** 

		Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis	
CR-2	<u>21-0240</u>	Resolution Approving Pay Schedule for Fiscal Year 2021 for the Collective Bargaining Agreement between the City of Fort Lauderdale and the Fort Lauderdale Professional Firefighters, Inc., International Association of Firefighters (IAFF), AFL-CIO-CLC, Local 765 - Battalion Chiefs Effective October 1, 2020 through September 30, 2021 and Incorporating the Pay Schedule into the Collective Bargaining Agreement as Schedule A - (Commission Districts 1, 2, 3 and 4)	
		ADOPTED  Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis	
CR-3	<u>21-0132</u>	Resolution Imposing Special Assessment Liens for Lot Clearing - (Commission Districts 1, 2, 3 and 4)	
		ADOPTED	
		Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis	
CR-4	<u>21-0034</u>	Resolution Approving SW Riverside Drive and SW 20th Avenue to be also known as "Coach Skinner Avenue" between SW 5th Place and SW 9th Street - (Commission District 4)	
		ADOPTED	
		Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis	
CR-5	<u>21-0186</u>	Resolution Supporting Broward County Traffic Engineering Division to post "NO THRU TRUCKS" signage on Riverland Road at State Road 7 and Davie Boulevard - (Commission Districts 3 and 4)  ADOPTED	
		Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor	
		Glassman, Commissioner McKinzie and Mayor Trantalis	
CR-6	<u>21-0195</u>	Resolution Supporting Broward County Traffic Engineering Division to Post "NO THRU TRUCKS" Signage at the Southwest Corner of East Sunrise Boulevard and NE 16th Avenue - (Commission District	
		2)	

		Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis
CR-7	21-0092	Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2021 - Appropriation - (Commission Districts 1, 2, 3 and 4)
		ADOPTED
		Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis
CR-8	21-0148	Resolution Approving Fiscal Year 2021 Not For Profit Grant Participation Agreement with The Stranahan House, Inc., and Escrow Agreement with The Stranahan House, Inc., and Tripp Scott, P.A \$100,000 - (Commission Districts 1, 2, 3 and 4)
		ADOPTED
		Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis
CONS	ENT PURCHAS	E

CP-1	21-0187	Motion Approving Change Order No. 10 for \$65,599 for Electrical Upgrades to the North Galt Shops Streetscape and Parking Improvements Project - Sagaris Corp - (Commission District 1)
		APPROVED
		Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis
CP-2	21-0199	Motion Approving Change Order No. 1 for \$29,900 for Construction Engineering Inspection services to the North Galt Shops Streetscape and Parking Improvements Project, Task Order No. 5 - Calvin, Giordano & Associates, Inc (Commission District 1)
		APPROVED
		Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis
CP-3	21-0200	Motion Approving Agreements for Purchase of Demolition Services - AlliedBean Demolition, Inc. and The BG Group, LLC - \$600,000 - (Commission Districts 1, 2, 3 and 4)
		APPROVED
		Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis
CP-4	21-0208	Motion Approving Agreement for Riverwalk Water Trolley -

Operations and Maintenance - Water Taxi of Fort Lauderdale LLC - \$735,000 - (Commission Districts 2 and 4)

Commissioner Moraitis inquired about *Water Taxi* ridership and the opportunity to utilize grants, pass-through funding and cost recovery from Broward County, similar to the *Sun Trolley*.

In response to Commissioner Moraitis' questions, Ben Rogers, Transportation and Mobility (TAM) Department Director, explained 2018 ridership was approximately 46,000 and in 2019 ridership was approximately 56,000. The *Water Taxi* was not operating for a majority of 2020 due to COVID. Staff is pursuing grant funding with the Florida Department of Transportation (FDOT). *Water Taxi* funding has been a historical practice since the City ended its relationship with the Transportation Management Association (TMA).

In response to Commission Moraitis' question, Mr. Rogers explained the free portion of *Water Taxi* ridership is along the *New River* route illustrated as presented.

#### A copy has been made part of the backup to this Agenda item.

The City funds the free ridership portion of the *Water Taxi*. Should the Commissioner desire to modify the schedule, the related process includes a public hearing. City Manager Lagerbloom noted all multi-year contracts are subject to appropriation. Mayor Trantalis pointed out the positive aspects of the *Water Taxi*.

Commissioner Moraitis made a motion to approve this item and was seconded by Vice Mayor Glassman.

#### **APPROVED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

CP-5 21-0215

Motion Approving Increase in Funds for Sexual Assault Response Team Kit Testing - Bode Cellmark Forensics, Inc. - \$16,950 - (Commission Districts 1, 2, 3 and 4)

#### **APPROVED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### **RESOLUTIONS**

R-1 <u>21-0251</u> Appointment of Board and Committee Members - (Commission

Districts 1, 2, 3 and 4)

City Clerk Jeffrey Modarelli read the names of the Board and Committee nominees for appointment and/or reappointment at the upcoming March 16, 2021 Commission Regular Meeting.

City Clerk Modarelli read into the record the names of Board and Committee appointments and/or reappointments for Agenda item R-1.

Commissioner Sorensen introduced this Resolution which was read by title only.

#### **ADOPTED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### R-2 21-0219

Resolution Rescinding Resolution No. 21-07; Rescinding the Public Hearing and Adoption of Resolution Approving Notice of Award and Sale of City-Owned Property Located at 4270 SW 11 Street, Plantation, Florida 33317 to the City of Plantation - (Commission Districts 1, 2, 3 and 4)

City Manager Lagerbloom explained the City of Plantation chose not to move forward with purchasing the property. This item rescinds the previous Resolution.

Vice Mayor Glassman introduced this Resolution which was read by title only.

#### ADOPTED

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### **PUBLIC HEARINGS**

#### PH-1 21-0207

Public Hearing and Adoption of Resolution Approving the Parks, Recreation and Beaches Advisory Board's Recommendation for Approval of Land Purchase of Real Property Located at NW 6 Street (Folio:504204120080) as Provided in the Parks and Recreation Bond Resolutions - (Commission District 3)

City Manager Lagerbloom explained the purpose of this item. Comment and discussion ensued on the location of this parcel.

Commissioner McKinzie explained the parcel is located to the east and is contiguous to the District 3 park area known as *Little Lincoln Park*. Mayor Trantalis commented on the possibility of naming the site, Carlton

Moore Park. Commissioner McKinzie recommended discussing this option with Commissioner Moore's son.

Mayor Trantalis opened the public hearing.

There being no one wishing to speak on this item, Vice Mayor Glassman made a motion to close the public hearing, which was seconded by Commissioner Moraitis. Roll call showed: AYES: Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie, and Mayor Trantalis.

Commissioner Sorensen introduced this Resolution which was read by title only.

#### **ADOPTED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

PH-2 21-0202

Public Hearing and Resolution Approving Purchase and Sale Agreement for Real Property Located at NW 6 Street (Folio# 504204120080) under the Parks Bond for \$135,000 - (Commission District 3)

Mayor Trantalis opened the public hearing.

There being no one wishing to speak on this item, Commissioner Sorensen made a motion to close the public hearing, which was seconded by Commissioner Vice Mayor Glassman. Roll call showed: AYES: Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie, and Mayor Trantalis.

Comment and explanation ensued on the amount of the parcel listed in the Resolution versus the Resolution's title. City Manager Lagerbloom explained costs. The cost of the parcel is \$125,000. The additional \$10,000 is for appraisals, advertising and environmental assessment costs.

City Attorney Boileau confirmed the need for a revised Resolution indicating the amounts associated with the parcel's purchase price and related costs.

Vice Mayor Glassman introduced this Resolution which was read by title only.

ADOPTED

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### PH-3 21-0254

Public Hearing to Evaluate All Comments Received and Resolution Approving the Submittal of a Pre-Application to the Florida Department of Economic Opportunity for Grant Funding Through the Florida Community Development Block Grant-Coronavirus (CDBG-CV) Program - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis opened the public hearing.

There being no one wishing to speak on this item, Vice Mayor Glassman made a motion to close the public hearing, which was seconded by Commissioner Sorensen. Roll call showed: AYES: Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie, and Mayor Trantalis.

Vice Mayor Glassman introduced this Resolution which was read by title only.

#### **ADOPTED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### PH-4 21-0173

Public Hearing - Quasi-Judicial Ordinance Approving a Rezoning from Industrial (I) District to Commercial Recreation (CR) District through the Allocation of Commercial Flexibility and Associated Site Plan Approval for Xtreme Action Park - Powerline Industrial Center Commercial Condominium Association, Inc., Dezer Powerline LLC, and Dezer Powerline Outparcel LLC. - Case No. ZR19004 - (Commission District 1)

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.

Each Commission member disclosed verbal communications, written communications, site visits, and expert opinions received.

Mayor Trantalis opened the public hearing.

There being no one wishing to speak on this item, Commissioner McKinzie made a motion to close the public hearing, which was seconded by Commissioner Sorensen. Roll call showed: AYES: Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie, and Mayor Trantalis.

In response to Commissioner Moraitis' questions, Anthony Fajardo, Department of Sustainable Development Director, confirmed discussions with Mr. Berding to address concerns discussed at the January 21, 2021 Commission Regular Meeting. Staff recommends moving forward. *Extreme Action Park* is cooperating with Code Enforcement to address *Florida Building Code* permitting items raised by Mr. Berding. Discussion ensued on the language in the Resolution that should read *Commercial Recreation*, not *Community Recreation*.

Commissioner Moraitis introduced this Ordinance as amended for the First Reading which was read by title only.

#### PASSED FIRST READING AS AMENDED

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### ORDINANCE FIRST READING

#### OFR-1 21-0081

First Reading - Ordinance Amending City of Fort Lauderdale Unified Land Development Regulations (ULDR) By Creating Article XII., Section 47-36; Establishing a Transfer of Development Rights Program - Planning and Zoning Board Case No. PLN-ULDR-20010001 - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis thanked Staff for their work on this Ordinance, commenting on his perspective.

Vice Mayor Glassman introduced this Ordinance for the First Reading which was read by title only.

#### PASSED FIRST READING

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### ORDINANCE SECOND READING

OSR-1 21-0272

Second Reading - Ordinance Dissolving the Beach Redevelopment Board and Amending Section 2-219(a) of Code of Ordinances of the City of Fort Lauderdale - (Commission District 2)

Mayor Trantalis thanked members of the community who had served on the Beach Redevelopment Advisory Board over the years.

Vice Mayor Glassman introduced this Ordinance for the Second Reading which was read by title only.

#### ADOPTED ON SECOND READING

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

OSR-2 21-0257

Second Reading - Ordinance Amending the Noise Ordinance Relating to the Construction of Large or Complex Projects (Transportation and Non-Transportation) Exemption for Time to Comply, Establishing an Alternative Approval Process Through the City Commission for the Approval and Revocation of Special Permits - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Robert Kain, 819 SE 17th Street. Mr. Kain spoke in opposition to portions of this item. He discussed the negative impact of the *Broward County Convention Center (Convention Center)* construction operations on his residence and suggested limiting related special permits from 7:00 a.m. to 9:00 p.m. and capping the forty-five (45) day special permit extension to one (1) extension for a total of ninety (90) days.

In response to Commissioner Sorensen, City Manager Lagerbloom explained details associated with this item and the Agenda Walk-On item that applies to the *Convention Center*. The Commission will have the discretion to consider special permit requests on a case-by-case basis. Comment and discussion ensued on limiting construction hours from 7:00 a.m. to 10:00 p.m. at the discretion of the Commission.

City Manager Lagerbloom explained Commission latitude to address special circumstances and its ability to condition special permits, which are beyond the authority of the City Manager. Commissioner Moraitis concurred, citing the need for flexibility. City Attorney Boileau explained the related additional language being added to the Ordinance. Further comment and discussion ensued.

In response to Commissioner Sorensen's question, City Manager Lagerbloom explained the process associated with special permit violations. A recommendation to revoke a special permit could come from the City Manager or a Commission Member.

Commissioner Moraitis introduced this Ordinance for the Second Reading which was read by title only.

#### ADOPTED ON SECOND READING

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

OSR-3 21-0258 Second Reading - Ordinance Amending City of Fort Lauderdale

Unified Land Development Regulations (ULDR) Section 47-14, General Aviation Districts to Adopt Airport and Heliport/Helistop Zoning Regulations and Creating Section 47-3.12 to Add Regulations for Nonconforming Obstructions Located Within the Airport Hazard Area, General Aviation Airport District, or Airport Industrial Park District - (Commission Districts 1 and 4)

Commissioner Moraitis thanked Staff for their work on this Ordinance.

Commissioner Moraitis introduced this Ordinance for the Second Reading which was read by title only.

#### ADOPTED ON SECOND READING

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### 21-0292

WALK-ON - Resolution Approving a Request for a Special Permit to Extend Construction Hours for the Broward County Convention Center Subject to the Requirements of Section 17-10 - Construction of Large or Complex Projects (Transportation and Non-Transportation) of the City of Fort Lauderdale's Code of Ordinances District - (Commission District 4)

City Manager Lagerbloom explained this Walk-On item relates to the extension of construction hours (special permit) for the *Broward County Convention Center (Convention Center)* project to meet its completion goal of October 2021. Details associated with the special permit request for extended hours of construction operations at the Convention Center were presented. City Manager Lagerbloom explained options available to Commission.

#### A copy has been made part of the backup to this Agenda item.

Mayor Trantalis recognized Alan Cohen, Broward County Assistant Administrator. Mr. Cohen commented on *Convention Center* construction delays experienced due to rain. He confirmed neighbor outreach to address resident construction concerns. The extended hours requested by Broward County align with the City Manager's authority listed in the Ordinance. Mr. Cohen explained efforts to complete *Convention Center* work impacting neighbors by June 2021 and noted the possible need for an additional special permit extension until September 2021.

In response to Commissioner Sorensen's suggestion, Mr. Cohen said he could return to the Commission in June 2021 to report on progress and request an additional extension.

City Attorney Boileau noted the need to amend language in the Resolution to reflect the June 16, 2021 special permit date.

In response to Mayor Trantalis' question, City Manager Lagerbloom reiterated the extended construction hours of the special permit.

Commissioner Sorensen introduced this Resolution as amended which was read by title only.

#### **ADOPTED AS AMENDED**

Aye: 5 - Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman, Commissioner McKinzie and Mayor Trantalis

#### CITY MANAGER REPORT

City Manager Lagerbloom said the Finance Department and Human Resources Department are available to work with Commission Members for Florida Retirement System (FRS) enrollment, expounding on details.

City Manager Lagerbloom requested Commission direction regarding coordinating a meeting with the Charter Review Board (CRB). Mayor Trantalis explained Vice Mayor Glassman's comments at today's Commission Conference Meeting were to begin the process of gathering topics for future a Commission Joint Workshop with the CRB. City Attorney Boileau said his Staff is reviewing Charter items that require updating.

#### ADDITIONAL COMMISSION DISCUSSION

In response to Commission Sorensen's request, Interim Police Chief (Police Chief) Patrick Lynn introduced himself and provided an overview of his experience and items he is addressing, including police policies and the budget.

Vice Mayor Glassman discussed concerns regarding the Commission adhering to the correct meeting process. Additional Commission discussions should be part of Commission Conference Meetings.

Marc Fein, new Strategic Communication Division Manager introduced himself.

Commissioner Sorensen requested Commission Members receive City-wide, full and holistic infrastructure updates quarterly. Quarterly update information should include projects completed in the past quarter, plans for the next quarter and related expenditures. City Manager Lagerbloom confirmed.

#### **ADJOURNMENT**

Mayor Trantalis adjourned the meeting at 7:39 p.m.

Dear J. Trantalis

Mayor

ATTEST:

Jeffrey A. Modarelli

City Clerk



#21-0292

TO:

Honorable Mayor & Members of the Fort Lauderdale City Commission

FROM:

Chris Lagerbloom, ICMA-CM, City Manager

DATE:

March 2, 2021

TITLE:

**WALK-ON** - Resolution Approving a Request for a Special Permit to Extend Construction Hours for the Broward County Convention Center Subject to the Requirements of Section 17-10 — Construction of Large or Complex Projects (Transportation and Non-Transportation) of the City of Fort Lauderdale's Code of Ordinances District - (Commission District 4)

#### Recommendation

Staff recommends the City Commission consider adopting a resolution approving a request for a special permit to extend construction hours for the Broward County Convention Center subject to the requirements of Section 17-10 — Construction of Large and Complex Projects (Transportation and Non-Transportation).

#### Background

The Broward County Convention Center is currently under construction to complete a 177,383 square foot expansion to the site.

The convention center is an important part of the local economy and a critical component of the Fort Lauderdale International Boat Show and is working to complete this expansion prior to the start of the boat show in October of 2021.

Due to unforeseen circumstances related to weather and the pandemic the project is behind schedule and is requesting approval of the special permit to extend the hours of construction so they can continue to move forward and meet their deadlines for the boat show. The applicant has indicated that the building should be dried in no later than June 2021, which would further mitigate construction noise as it would be internal to the structure at that point.

The request includes the following (see Table 1 on page 3 of Exhibit 1):

Table 1: Description of Work Schedule				
Subcontractor Work	Daylight to Dusk (Monday – Saturday, Sunday)	Monday – Saturday: 7am – 10pm (15 hours) Sunday: 10am – 7pm (9 hours		
Steel Erection	Yes	Only during Daylight Hours		
Civil Work	Yes	Yes		
Steel Detailing	Yes	Yes		
Interior Masonry	Yes	Yes		
MEPF Systems	Yes	Yes		
Concrete Pours	Yes	Yes		
Finishes	Yes	Yes		

For more information, please see the Noise Mitigation Plan attached as Exhibit 1.

#### Resource Impact

There is no fiscal impact associated with this action.

#### **Strategic Connections**

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Business Development Focus Area
- Goal 5: Build an attractive global and local economic community marketplace.
- Objective: Nurture and support existing local businesses

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Prosperous.

#### <u>Attachments</u>

Exhibit 1 – Noise Mitigation Plan

Exhibit 2 - Resolution

Prepared by: Anthony Greg Fajardo, Director of Sustainable Development

Department Director: Anthony Greg Fajardo, Sustainable Development



# NOISE MANAGEMENT PLAN

March 2021 - October 2021

BROWARD COUNTY
CONVENTION CENTER

1850 - 1950 Eisenhower Boulevard Fort Lauderdale, FL 33316

#### Broward County Convention Center - Noise Management Plan

## **Balfour Beatty**

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#### 1 Description of Work

- Steel Erection, Steel Detailing, Concrete Pours, Civil work, Interior Masonry, MEPF Systems and Finishes at the Convention Center. The work would commence at 7 AM and be completed by 10 PM (15 hours) Monday through Saturday. On Sunday, the work would commence at 10 AM and be completed by 7 PM. The off hours will commence on March 11<sup>th</sup> and continue through October of 2021. No person shall operate or cause to be operated any equipment used in construction, repair, alteration or demolition work on buildings, structures, streets, alleys, or appurtenances thereto with sound-control devices less effective than those provided on the original equipment prior to 7 AM and after 10 PM.
- The equipment with the most amount of noise will be utilized during daylight hours only (Reference the Noise and Vibration Predictions below and Appendix 8.10 which shows the noise generated from the construction will reduce to below the ambient noise level adjacent to the local residences due to distance from the construction to the residence). The average duration of steel erection will be approximately 10 12 hours Monday through Saturday and approximately 9 hours on Sunday. The Steel erection will take place only during daylight hours and welding/detailing will take place on off hours (no sound control equipment will be utilized prior to 7 AM and after 10 PM).
- See attached estimated schedule for the description of work (Reference Appendix 8.7)

<b>Table 1: Description of Work Schedule</b>				
Subcontractor Work	Daylight to Dusk (Monday – Saturday, Sunday)	Monday – Saturday: 7 AM – 10 PM (15 Hours) Sunday: 10 AM – 7 PM (9 Hours)		
Steel Erection	Yes	Only during Daylight		
Civil Work	Yes	Yes		
Steel Detailing	Yes	Yes		
Interior Masonry	Yes	Yes		
MEPF Systems	Yes	Yes		
Concrete Pours	Yes	Yes		
Finishes	Yes	Yes		

- Site Plan & Location Map (Reference Appendix 8.1)
- o Legal Description:
  - 1850 Eisenhower Boulevard:
     PORT EVERGLADES PLAT NO 2 108-31 B POR OF PAR A DESC
     AS:COMM SW COROF NE1/4 OF SE1/4 OF SEC 14-50 42,NLY 289,ELY
     95 TO POB,ELY 220 NLY 792,WLY 220,SLY 411,WLY 15, SLY 110,ELY
     15,SLY 271 TO POB
  - 1950 Eisenhower Boulevard: PORT EVERGLADES PLAT NO 2 108-31 B PARCEL A LESS POR DESC:COMM SW COR OF NE1/4 OF SE1/4 OF SEC 14-50-42,NLY 289,ELY 95 TO POB, ELY 220,NLY 792,WLY 220,SLY 411, WLY 15,SLY 110,ELY 15,SLY 271 TO POB,& LESS POR PAR A DESC AS COM NW COR PAR A,E 80 TO POB,CONT E 832,S 288.81,W 114.03,N 88.96,W 475.01,N 29.73,W 235,N 168.61 TO POB
- Justification for Work:
  - Safely putting more people to work during COVID-19
  - o There has been a significant increase in rainfall during 2020 which has impacted the construction schedule by 30+ workdays. The project is estimating that in order to make up the 30+ days, the project will have to work two (2) shifts through the completion of the project. The project completion date is October 15<sup>th</sup>, 2021 and it is estimated that the 2021 Boat Show will start loading around the 10<sup>th</sup> of October.
  - o The project estimates that the building will be dried in (Building envelope will be completed) no later than June of 2021. This will significantly reduce any noise outside of the project as the majority of the work will be inside the building. The Dry in will start as early as April of 2021 with an anticipated dry in date of June of 2021. The noise level will continue at the same level through the beginning of March and slowly start to decrease through the completion of the dry in of the building. The shortest distance from the work to the nearest residential condo is 580 feet (Reference Appendix 8.5). The distance from the work to the nearest residence should not be any more significate than 17<sup>th</sup> street itself (reference Noise Monitoring Report appendix 8.6).

- The second shift will help accelerate the project.
- Early morning concrete pours will help alleviate the amount of Construction traffic on SE 17<sup>th</sup> Street during peak traffic hours.
- The above will reduce the impact of construction on the surrounding residential neighborhoods and businesses by keeping the project within the original completion date.
- Commencement Date and Duration of Work:
  - The second shift will commence on March 11<sup>th</sup>, 2021 and continue through October of 2021.
  - Steel Erection, Concrete Pours, Interior Masonry, Civil, MEPF, and Finishes activities will be in accordance with the attached estimated schedule.

#### 2 Contractor Contacts

Balfour Beatty Construction - Broward County Convention Center Project Team - Table 2

Table 2: BBC Contact List			
Name Position Contact N			
Ron Ferguson	General Superintendent	(407) 713-1877	
Chris Baran	Senior Project Manager	(407) 461-4107	
Tom Stedem	Senior Project Manager	(863) 640-0298	
Jose Rodriguez	Superintendent	(407) 304-9401	
Justin Valdes	Assistant Superintendent	(407) 572-5654	

#### 3 Equipment

- The equipment used for construction work is the quietest reasonably available.
- Equipment that may generate noise during the second shift are as follows:
  - o Cranes
  - Concrete Trucks
  - o Concrete Pumps
  - o Concrete Vibrators
  - o Back-up Alarm on Construction Equipment
  - o Material Delivery Trucks
- The duration of use of equipment and/or period of work will vary depending on each activity. Noise generated will be intermittent based on specific activity taking place (i.e. back-up warning alarm from trucks, concrete vibrators, pump trucks, etc...)

#### 4 Noise and Vibration Predictions

- Reference Appendix 8.10 NV5 Signed and Sealed Engineered Calculation showing that the noise generated from the construction project is equal to or less than the surrounding ambient noise. Reference the last paragraph of page 3 and all of the information on page 4 for specifics. The following is the information from the bottom of page 3 and 4:

In order to determine compliance with the City regulations a calculation of noise at the adjacent properties is necessary. Noise reduces with distance and using a standard calculation noise may be predicted based upon an initial level and distance. The use of the inverse square law allows predication in that a sound level (intensity) will drop off as distance increases. This law which has been demonstrated by evidence and actual measurement calculates a six (6) decibel drop with a doubling of the distance in feet. Considering the 85-decibel level for the forklift at 570 feet noise would reduce to 64 dBA.

The predicted level is presuming no uninterrupted path for the sound and that no existing levels are considered. However, the largest reduction of noise would be the shadowing of any noise at the Convention Center by existing noise from the community and traffic on SE 17th Street.

Measured levels from October 31, 2020 through December 16, 2020 show that noise from the adjacent street area and associated community produce levels that do not regularly go below 60-65 decibels up to 70 decibels. This data shows a solid noise level that exists over this period consistently. This may be considered as the "ambient" level of noise. Graphs are attached following the conclusion of this letter that show data from the noise meter for a series of dates which also identify City time frames and working shifts. Also shown are two graphs showing overall noise levels as the one minute maximum levels from October 28 through December 16, 2020. As the noise levels are 60 – 65 decibels at the minimum the 64 dBA generated by the forklift would be obscured by community ambient levels. Also, considering the noise levels occur 24-hours over this range of noise, the 60 dBA daytime and 50 dBA nighttime noise limits of the City cannot be met due to ambient conditions. In our opinion the noise levels projected to the north properties would not be in excess of the noise regulations of the City.

#### Broward County Convention Center - Noise Management Plan

## **Balfour Beatty**

- Equipment Noise Emission Levels (Lmax Noise (dba) 50 ft):
  - o Concrete Trucks 85
  - o Concrete Pumps 82
  - o Concrete Vibrators 80
  - o Back-up Alarm 97 112
  - o Crane 85
- The aforementioned equipment predicated noise emissions can be reviewed in the Appendices below or on the U.S. Department of Transportation Highway Administration website (Link HERE).

#### 5 Noise and Vibration Control Measures

- We have installed a noise monitoring device located adjacent to the nearest residential condo to demonstrate that the noise generated during the off hours outside of 8 AM to 7 PM are equivalent to the noise generated from 17<sup>th</sup> Street and the surrounding areas. Reference attached GeoSonics report for noise monitoring (Appendix 8.6).
- Only the equipment necessary for Concrete pours, Interior Masonry, MEPF Systems, and Finishes will be utilized prior to and after the normal Construction operation hours of 8 AM to 7 PM.
  - Concrete Truck back-up alarms will be switched to ambient white noise to lessen noise emissions by 18 dBA when safety protocols allow.
  - On-site traffic patterns will be coordinated to minimize backing up movement.
  - Deliveries will be sequenced appropriately to reduce the amount of idling Trucks.
- We do not anticipate any heavy vibration during the concrete pours and no pile work will be conducted during this time frame.

#### 6 Complaint Response

#### 6.1 Procedure and recording of complaints

- The Balfour Beatty Construction Broward County Convention Center Team will be responsible for logging and responding to all complaints
- Any complaints can be made via phone or in writing to:

Balfour Beatty Construction ATTN: Ron Ferguson 7901 S.W. 6<sup>th</sup> Court, Ste. 200 Plantation, FL 33324 (407) 713-1877 Balfour Beatty Construction ATTN: Chris Baran 7901 S.W. 6<sup>th</sup> Court, Ste. 200 Plantation, FL 33324 (407) 461-4107

#### 6.2 Community Notification

- Balfour Beatty Construction will post a Community Notification around the project site on the perimeter fence and with the Condo Association announcement boards in the adjacent condo building. In addition, notifications will be left in mailboxes of adjacent businesses. (Reference Appendix 8.3).
- The project will also utilize the Fort Lauderdale Office of Neighbor Support to ensure maximum outreach.
- Notifications will identify all second shift work and will be posted prior to the commencement of work.
- Reference Appendices for Community Notification Letter and Distribution Area.

#### 7 COVID 19

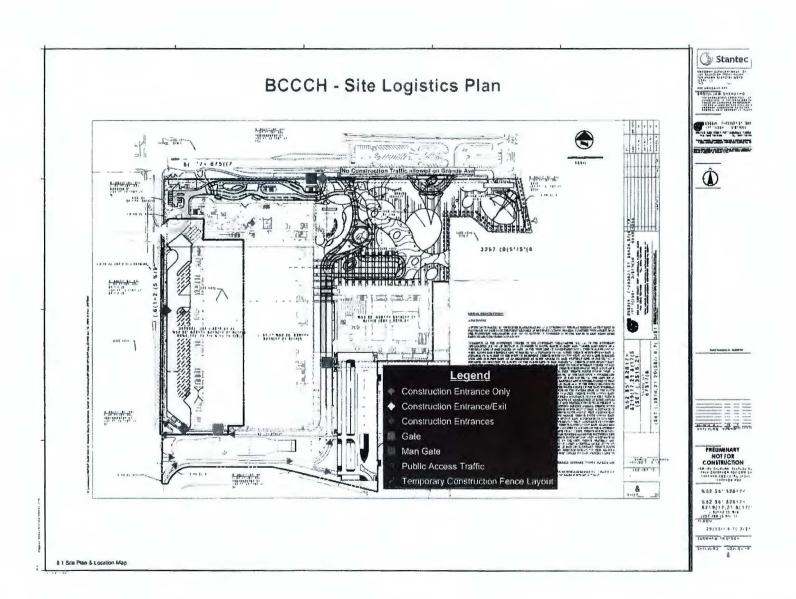
Balfour Beatty Construction is closely monitoring the COVID 19 pandemic and ensuring every measure is being followed in the office and the field to the safety of the workers and the surrounding community. (Reference our COVID 19 Project Protocols in Appendix 8.8).

#### Broward County Convention Center - Noise Management Plan

## **Balfour Beatty**

#### 8 Appendices

- 8.1 Site Plan & Location Map
- 8.2 Community Notification
- 8.3 Community Notification Distribution Area
- 8.4 Equipment Predicated Noise Emissions
- 8.5 Distance to Condo Map
- 8.6 Noise Monitoring Report
- 8.7 Construction Estimate Schedule
- 8.8 COVID 19 Project Protocols
- 8.9 Rain Fall Information for 2020
- 8.10 NV5 Signed and Sealed Engineered Calculation



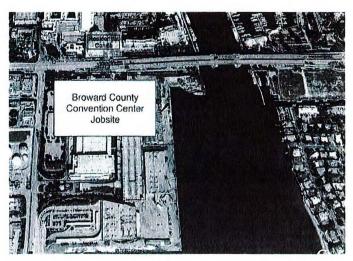
## \*PUBLIC NOTICE\*

# EARLY MORNING CONCRETE POUR, STEEL DETAILING, STEEL ERECTION INTERIOR MASONRY, MEPF SYSTEMS, AND FINISHES ADVISORY

# BROWARD COUNTY CONVENTION CENTER

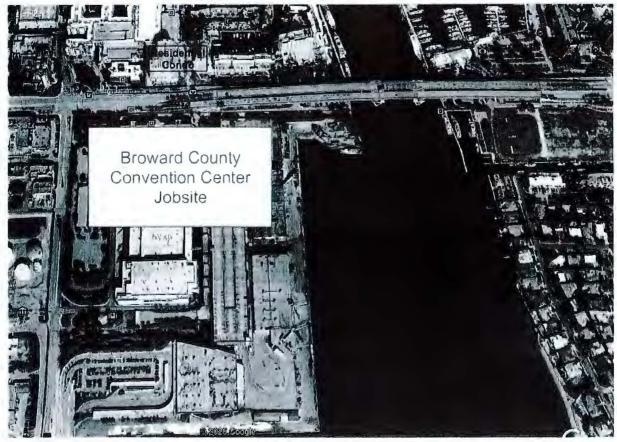
1850 - 1950 Eisenhower Boulevard Fort Lauderdale, FL 33316

Please be advised that the Broward County Convention Center at 1850-1950 Eisenhower Boulevard, Fort Lauderdale, FL 33316 will be conducting second shift work Monday – Saturday 7 AM to 10 PM and Sunday 10 AM to 7 PM beginning March 11<sup>th</sup>, 2021 and will continue through October of 2021.



**Balfour Beatty Construction** 

ATTN: Ron Ferguson 7901 S.W. 6<sup>th</sup> Court, Ste. 200 Plantation, FL 33324 (407) 713-1877 ATTN: Chris Baran 7901 S.W. 6<sup>th</sup> Court, Ste. 200 Plantation, FL 33324 (407) 461-4107



**Community Notification Distribution Area** 

8.3 Community Notification Distribution Area

## **Effective Noise Control During Nighttime Construction**

Workshops > Reduced Demand

#### Introduction

In recent years there have been fundamental changes in the types of projects that Departments of Transportation (DOT) are constructing. Today a significant number of projects are urban widening/rehabilitation work where daylight construction closures of the routes cause unacceptable congestion problems. Therefore, because of the high traffic volumes during the normal workday on these major urban transportation corridors, it is usually only possible to perform construction operations during the nighttime.

Departments of Transportation are writing into the specifications for these projects severe restrictions on when a contractor can execute the work. Typically the work must be performed at night. In turn, these nighttime work requirements precipitated disturbances to adjacent property owners'. When residents complain the path of their complaints is often through their local government. Additionally, the resulting complaints are coming during a climate of national concern about the adverse effects of environmental noise.

In the conduct of their construction and rehabilitation programs agencies struggle with three interested and impacted parties that must be satisfied.

- The driving public both commercial and private
- · The community through which the transportation corridor traverses
- · The construction contractors

This is a compilation of methods and techniques for mitigating nighttime construction nuisances. Mitigation is a critical requirement for serving the traveling public, for conducting DOT business in a responsible manner, and for preparing valid contract documents.

#### **Problems**

The major nuisances associated with the nighttime construction are noise, vibration, and illumination. Noise problems are normally caused by the operation of heavy equipment and specifically by vehicle and machine backup-alarms, Table 1. Vibration problems are primarily a result of pile driving, blasting operations, or the use of vibratory rollers. While good illumination is necessary for the work to proceed at night and for the safety of the traveling public, proper work zone illumination can be very intrusive to project neighbors. There is also concern by Departments about exposure to possible contractor claims if noise objectives are not properly presented in the contract documents.

A telephone survey of state DOTs found that many require adherence to certain noise (decibel) limits during nighttime construction. In many cases these limits are the consequence of specific local ordinances. Some Departments indicated that they could receive local ordinance waivers rather easily. Other Departments stated that they had jurisdiction over the local municipalities in these matters, but they tried to abide by the local ordinances.

**TABLE 1. Critical Nighttime Construction Noise Generators** 

Noise Generator	Percent of DOTs identifying as Cause of Problems*
Back-up Alarms	41%
Slamming Tailgates	27%
Hoe Rams	24%

Milling/Grinding Machines 16%
Earthmoving Equipment 14%
Crushers 6%

#### Sound

The human ear does not judge sound in absolute terms, but instead senses the intensity of how many times greater one sound is to another. A decibel is the basic unit of sound level; it denotes a ratio of intensity to a reference sound. Most sounds that humans are capable of hearing have a decibel (dB) range of 0 to 140. A whisper is about 30 dB, conversational speech 60 dB, and 130 dB is the threshold of physical pain, Fig. 1.

Figure 1. Representative Noise Levels

Noise levels tested (in increasing decibel level) include: sound studio (20 dB), quiet office (40 dB), conversation (60 dB), noisy restaurant (75 dB), chain saw (120 dB), jet plane (148 dB), and saturn rocket (200 dB).

Sound and noise are not the same thing, but sound becomes noise when:

- · It is too loud
- · It is unexpected
- · It is uncontrollable
- · It occurs unexpectedly
- · It has pure tone components

Noise is any sound that has the potential to annoy or disturb humans, or cause an adverse psychological or physiological effect on humans. In the case of the general population a 5 dBA change is required before most people realize there is a perceptible sound difference.

The noise levels generated during the construction process vary depending on the type of equipment and the nature of the work being performed. It should be recognized that noise impacts can be severe, especially during nighttime activities, and that in many cases simple noise mitigation strategies will not suffice.

Noise generation on most construction projects is the result of equipment operation with diesel engines being the primary generators. Equipment components that generate noise include: the engine, cooling fan, air intake, exhaust, transmission, and tires. In assessing noise generation, construction equipment can be grouped into two categories, stationary and mobile. Equipment noise can also be categorized as being either continuous or impulse in nature. Stationary equipment is considered to operate in one location for one or more days at a time; pumps, generators, compressors, screens, are typical examples of stationary equipment. In addition, pile drivers and pavement breakers are sometimes categorized as stationary equipment. Mobile equipment includes machinery that performs cyclic processes such as: bulldozers, scrapers, loaders, and haul trucks.

#### **Equipment Noise**

Construction equipment is a major noise generator on nearly all nighttime construction projects. The equipment type, specific model, equipment condition and the operation performed influence equipment noise. Equipment manufacturers began attacking machine noise problems in the late '60s and today because of design improvements and technological advances new machines have been quieted to an acceptable level for almost every situation. *Newer equipment is noticeably quieter than older models* due primarily to better engine mufflers, refinements in fan design and improved hydraulic systems. Noise levels as generated by typical equipment are shown in Table 2.

<sup>\*</sup>As rated by the 50 State DOTs

How equipment noise will be perceived is also a function of use duration. On a monitored project in New Jersey the highest noise levels resulted from pile driving; but, because the driving was completed in a short period of time, the activity did not draw any complaints.

One of the conclusions from the U.S. Department of Transportation's 1979 construction equipment noise study was that 88 dBA is a reasonable noise level to expect for *used* equipment with an engine horsepower of 400 or less. It should be noted that the USDOT tests were made in the field under actual operating conditions at road construction sites, mines and quarries.

In 1994 and 1995 Harris Miller Miller & Hanson Inc. performed noise studies for the Central Artery/Tunnel project in Boston. The first study sought to quantify an *average*noise level while the second defined a *typical* noise level. It would seem that a typical value is better to use in developing specifications or project restrictions. That data delineates the most commonly occurring level.

Table 2. Construction Equipment Noise Emission Levels

Equipment	Typical Noise Level (dBA) 50 ft., U. S. Dept. of Trans. study 1979	Average Noise Level (dBA) 50 ft., CA/T Project study 1994	Typical Noise Level (dBA) 50 ft., U. S. Dept. of Trans. study 1995	Lmax Noise (dBA) 50 ft., CA/T Project Spec. 721.560
Air Compressor		85	81	80
Backhoe	84	83	80	80
Chain Saw				85
Compactor	82		82	80
Compressor	90	85		80
Concrete Truck		81		85
Concrete Mixer			85	85
Concrete Pump			82	82
Concrete Vibrator			76	80
Crane, Derrick	86	87	88	85
Crane, Mobile		87	83	85
Dozer	88	84	85	85
Drill Rig		88		85
Dump Truck		84		84
Excavator				85
Generator	84	78	81	82
Gradall		86		85
Grader	83		85	85
Hoe Ram		85		90
Impact Wrench			85	85
Jackhammer*		89	88	85
Loader	87	86	85	80
Paver	80		89	85
Pile Driver, Impact		101	101	95
Pile Driver, Sonic			96	95
Pump	80		85	77

Rock Drill			98	85
Roller			74	80
Scraper	89		89	85
Slurry Machine		91		82
Slurry Plant				78
Truck	89	85	88	84
Vacuum Excavator				85

<sup>\*</sup> There are 82 dBA @ 7 meter rated jackhammers (90 lb. class) available. This would be equivalent to 74 dBA @ 50 ft. These are silenced with molded intricate muffler tools.

#### **Equipment Noise Control Options**

Listed in Table 3 are the major sources of equipment noise that cause complaints. The Table also lists specific methods for controlling the identified noise problem.

Table 3. Construction Equipment Noise Control Options

Noise Source	Control
Backup alarms	Use manually-adjustable alarms
	Use self adjusting alarms
	Use an observer
	Configure traffic pattern to minimize backing movement
Slamming tailgates	
Siamining tangates	Establish truck cleanout staging areas
	Use rubber gaskets
	Decrease speed of closure
	Use bottom dump trucks
Pavement breakers	
(jackhammers)	Fit with manufacturer approved exhaust muffler
	Prohibit within 200 ft. of a noise sensitive location during nighttime hours
	Enclose with a noise tent
Designand idling of aquipment	
Prolonged idling of equipment	Reduce idling
	Locate equipment away from noise sensitive areas

Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. These alarms work best on smaller equipment such as backhoes and trucks. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. The typical alarm adjustment is 82 or 107 dBA. Close attention must be give to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms should be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine's radiator will sense the cooling fan's noise and adjust accordingly, Figure 2. Such a mounting will negate the purpose of the device.

**Manually**-adjustable alarms are effective in reducing backup alarm noise nuisance but their use requires that each alarm be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjusting backup alarms. The manually adjustable alarms typically have an 87 and 107 dBA setting range, with the 87 dBA setting used for nighttime operations.

#### **Noise Mitigation**

Of interest in terms of community noise impact is the overall noise resulting from a construction site. The noise of each individual piece of equipment and sometimes the highest noise source is not always the number one priority. Noise control is directed toward modification of a perceived sound field. It strives to change the impact at the receiver so that the sounds conform to a desired level. Mitigation of undesired sounds should consider source control, path control, and receptor control Figure 3.

Figure 2. A Self-Adjusting Backup Alarm Mounted in the Wrong Position

Figure 3. Noise Transfer Situation

The Noise Transfer Situation shows the relation between sources, such as a pile driver, loader and truck, and their paths, groundborne vibration and direct sound (which includes a reverberant field) to the receiver. The relation is detailed below.

The Pile Driver creates a groundborne vibration path to the receiver. The loader and truck create a direct sound (reverberant field) path to the receiver.

Source Controls

Source control is the most effective method of eliminating noise problems. It is a cardinal rule that, where possible, noises control should occur at the source. Source controls, which limit noise emissions, are the easiest to oversee on a construction project. Source mitigation reduces the noise problem everywhere not just along a single path or for one receiver. Consequently, a project's noise mitigation strategy should emphasize noise control at the source.

Require Construction Operations Planning

Restrict the movement of equipment into and through the construction site. Long-term impacts are generated along haul routes when there are large quantities of materials to be moved. Reroute truck traffic away from residential streets. Impose seasonal limitations on construction noise, the spring or fall are critical times in residential areas because windows are usually open at night.

**Example Specifications** 

Where practical and feasible, construction sites shall be configured to minimize back-up alarm noise. For example, construction site access should be designed such that delivery trucks move through the site in a circular manner without the need to back up.

Require Modern Equipment

Unions recognize construction noise as a hazard to workers and the first of five things suggested to workers to address the problem is that they "Ask contractors to buy quieter equipment when they buy new equipment." DOT specification of equipment noise emission limits forces the use of modern equipment having better engine insulation and mufflers. The emission levels specified should reflect levels that can reasonably be achieved with well-maintained equipment, see Table 3.

**Equipment Restrictions** 

Restrict the type of equipment used.

**Example Specifications** 

The use of impact pile drivers shall be prohibited during evening and nighttime hours.

All jackhammers and pavement breakers used on the construction site shall be fitted with manufacturer's approved exhaust mufflers.

The use of pneumatic impact equipment (i.e. pavement breakers, jackhammers) shall be prohibited within 200 feet of a noise-sensitive location during nighttime hours.

The local power grid shall be used wherever feasible to limit generator noise. No generators larger than 25 KVA shall be used and, where a generator is necessary, it shall have a maximum noise muffling capacity.

Call the contractor's attention to the back-up alarm noise problem and require measures to address the issue.

By specification direct the use of only power grid connected or solar powered traffic control devices, Figure 4.

**Example Specifications** 

All variable message/sign boards shall be solar powered or connected to the local power grid.

Figure 4. Solar Powered Traffic Control Devices

Operate at Minimum Power

Noise emission levels tend to increase with equipment operating power. This is a critical issue with older street sweepers, demolition work using a hoe-ram, and equipment such as vac-trucks, Figure 5. Require that such equipment operate at the lowest possible power levels.

Figure 5. vac-truck working at night

Use Quieter Alternate Equipment

Electric or hydraulic powered equipment is usually quieter than a diesel-powered machine. Encourage contractors to use alternate equipment. Use electric tower cranes, Fig. 6, instead of diesel power mobile cranes

Figure 6. Electric Tower Cranes for Bridge Construction

#### **Path Controls**

Alone, source noise controls are frequently inadequate at adequately minimizing noise impacts on abutting sensitive receptors because of the close proximity to residences and businesses in urban areas and because of the very nature of the construction work. Thus, having exhausted all possible mitigation methods of controlling noise at the source, the second line of attack is controlling noise radiation along its transmission path. Noise path barriers should provide a substantial reduction in noise levels, should be cost effective, and should be implementable in a practical manner without limiting accessibility. Barriers can increase a project's visual impact. This visual change can have either a positive or negative impact. Therefore, aesthetic effects must be considered when designing barrier systems.

Path Mitigation Techniques

Once established, only reflection, diffraction insulation or dissipation can modify an airborne sound field. In other words, it is necessary to increase the distance from the source or to use some form of solid object to either destroy part of the sound energy by absorption, or to redirect part of the energy by wave deflection. The three techniques for path mitigation are therefore:

Distance

Reflection

Absorption

Enclose especially Noisy Activities or Stationary Equipment

Enclosures can provide a 10 to 20 dBA sound reduction. Additionally the visual impact of roadwork activities has an affect on how construction sounds are perceived. An important noise mitigation issue, therefore, is the audio-visual sensing factor. Enclosures address both the absolute audio and the visual perception issue, Figure 7.

**Example Specifications** 

All jackhammers and pavement breakers used at the construction site shall be enclosed with shields, acoustical barrier enclosures, or noise barriers.

Figure 7. Slurry Plant Enclosure for Audio-Visual and Dust Control

## **Conclusions**

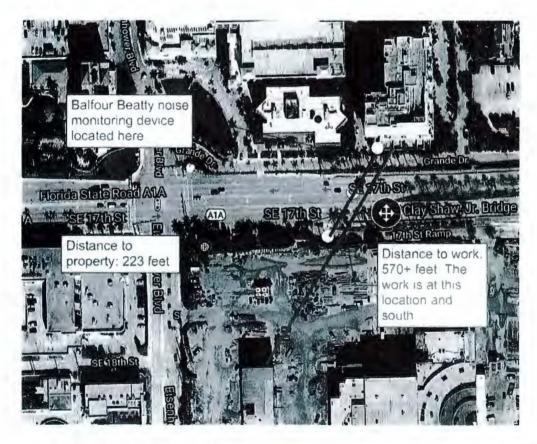
A significant number of future construction projects will involve urban work. Therefore, it is important that before contracts are advertised and bid that there be an objective assessment as to the magnitude of noise nuisances. Noise problems are normally caused by the operation of heavy equipment. The identification of methods and techniques for mitigating such nuisances is a critical planning requirement for both owners and contractors.

**Source control** is the most effective method of controlling construction noise. Source controls, which limit noise, are the easiest to oversee on a construction project. Mitigation at the source reduces the problem everywhere not just along one single path or for one receiver. The specification of equipment noise emission limitsforces the use of modern equipment having better engine insulation and mufflers.

**Path Controls** are the second line of attack in controlling noise. Barriers can provide a substantial reduction in the nuisance effect in some cases. The use of barriers should be examined against other possible measures to prove that they are cost effective. Further, aesthetic effects must be considered when designing barrier systems. Path control measures include:

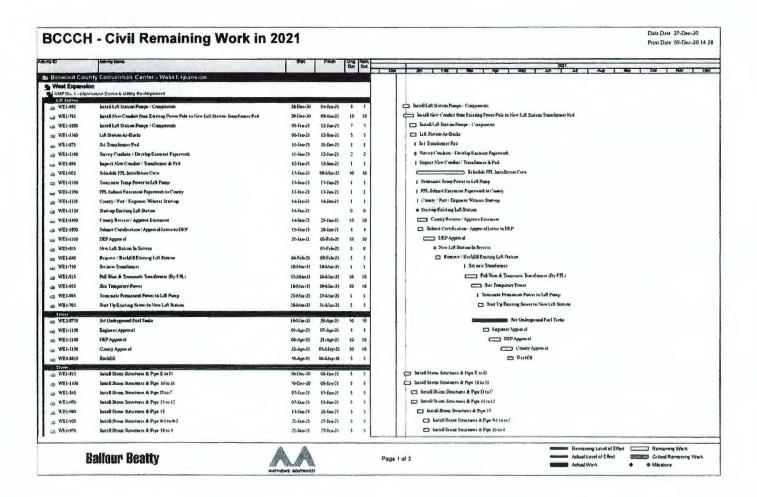
- · Move equipment farther away from the receiver
- · Enclose especially noisy activities or stationary equipment
- · Erect noise barriers or curtains
- Use landscaping as a shield and dissipater

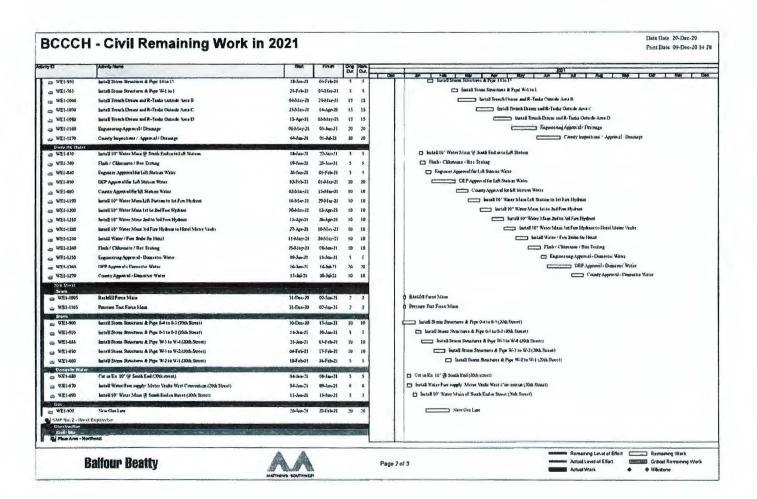
# **BCCCH - Distance to Condo**

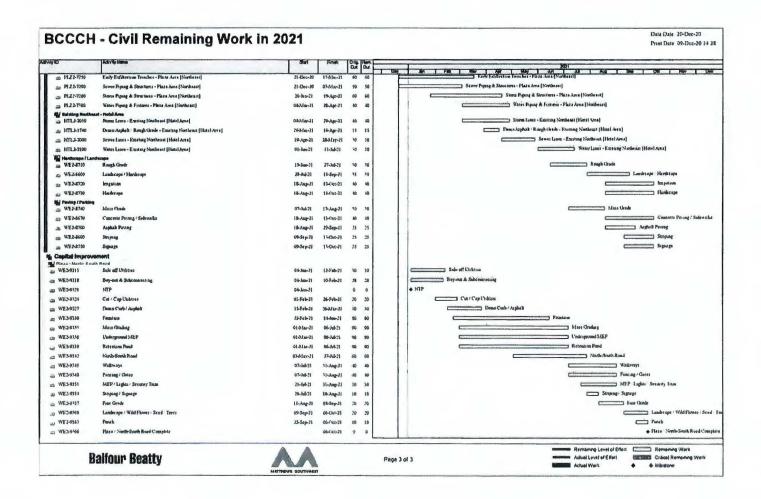


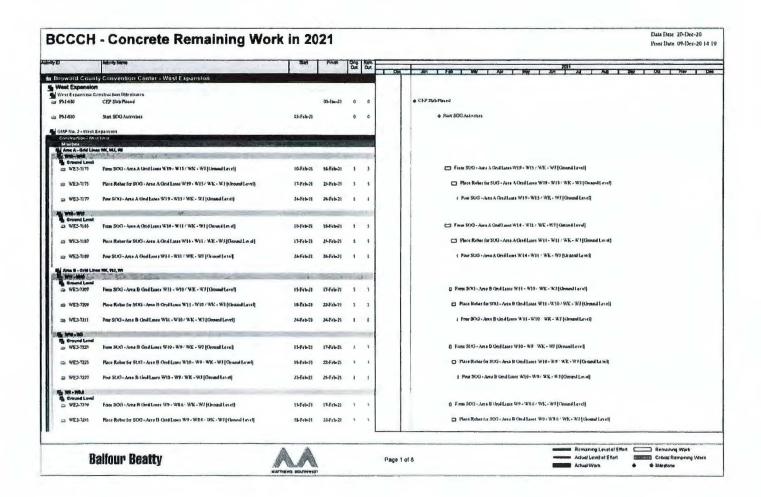
8.5 Distance to Condo Map

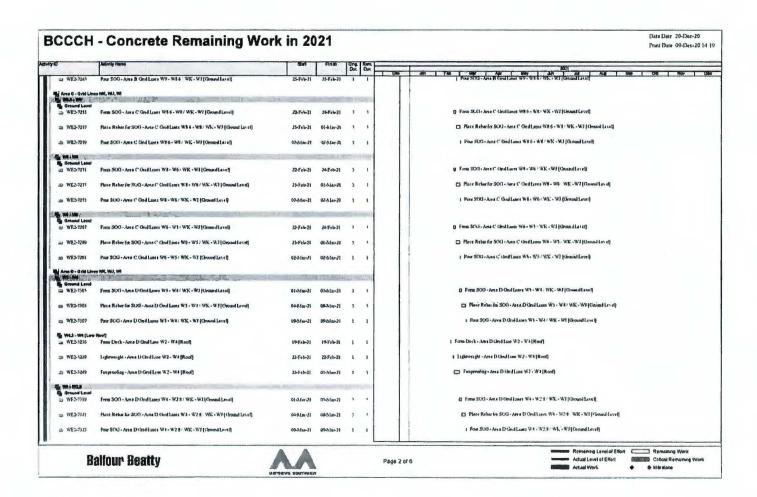
**Balfour Beatty** 

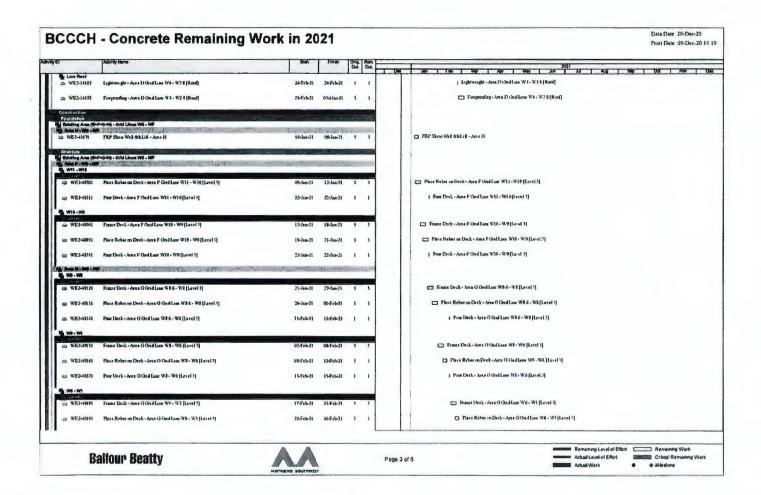


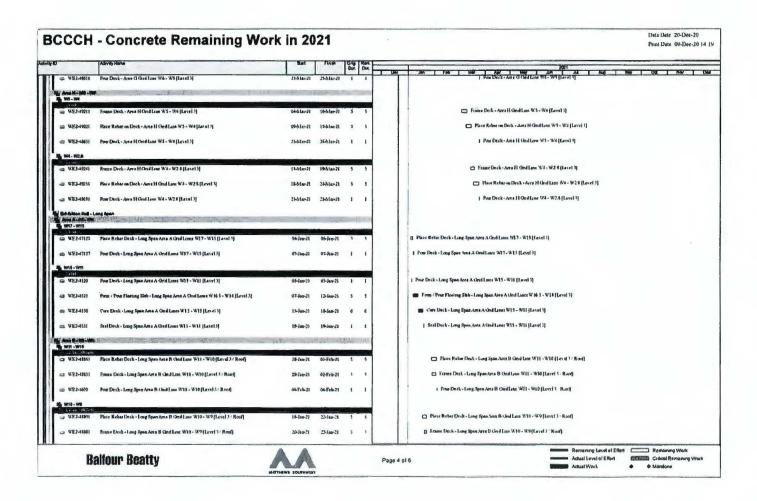


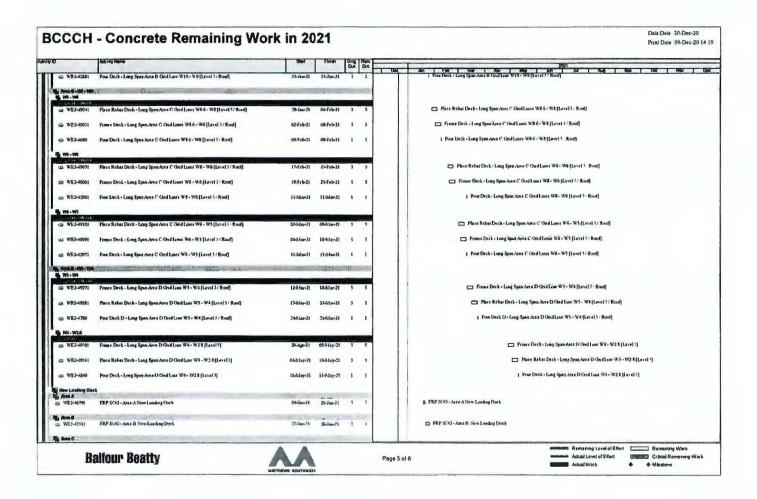


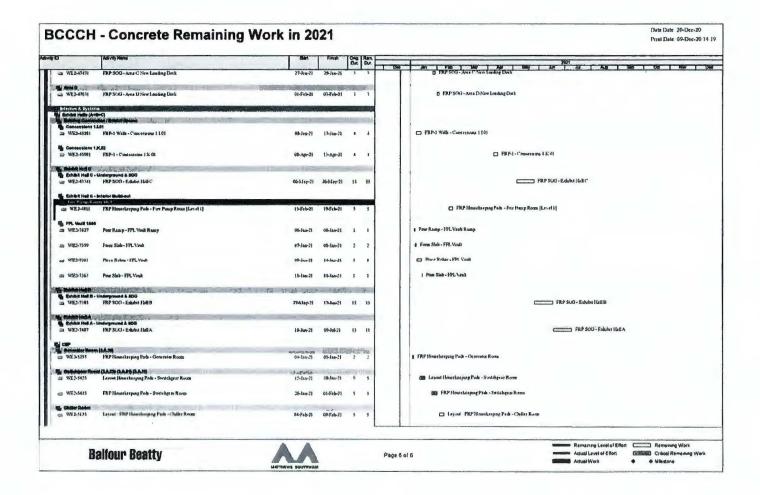


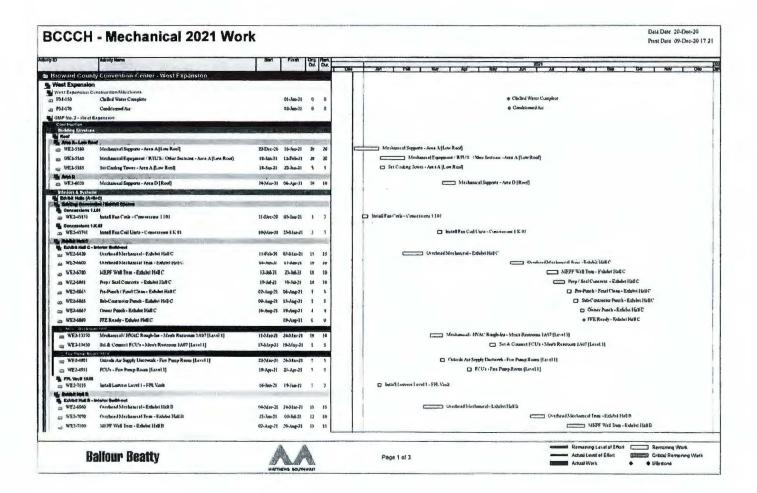


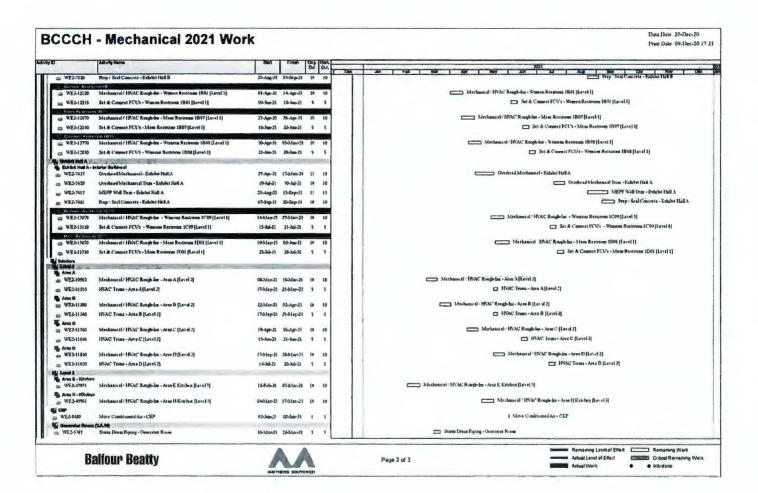


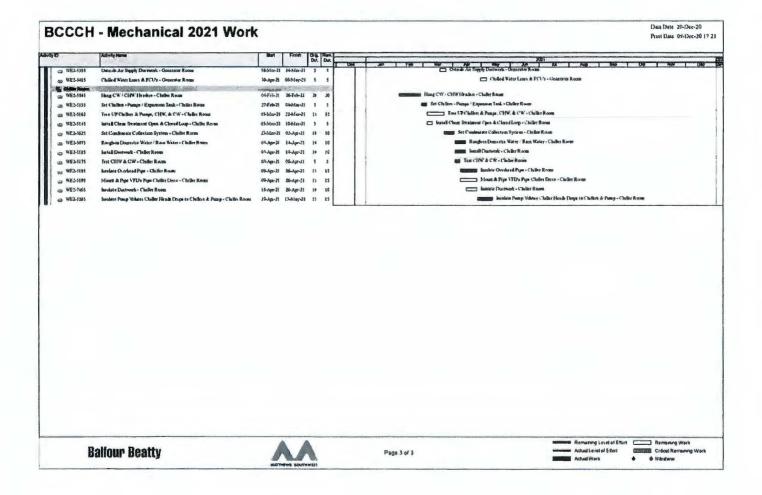


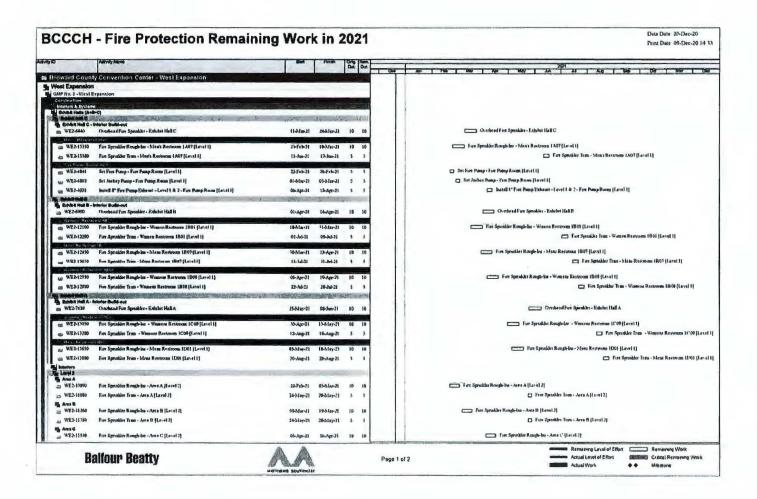


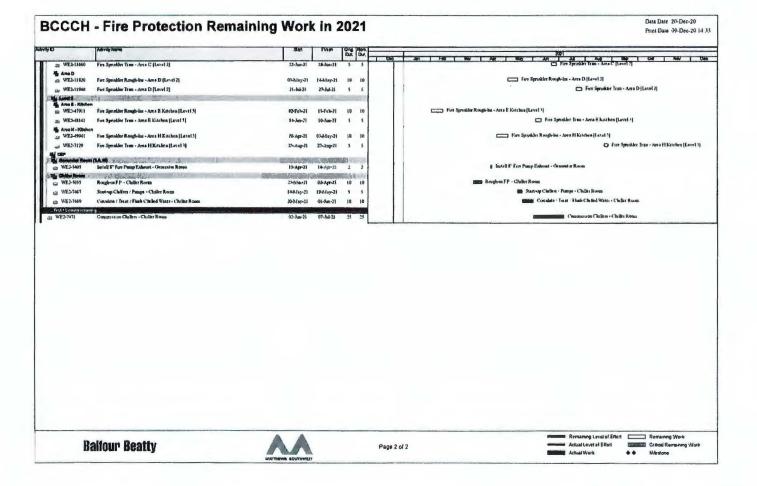


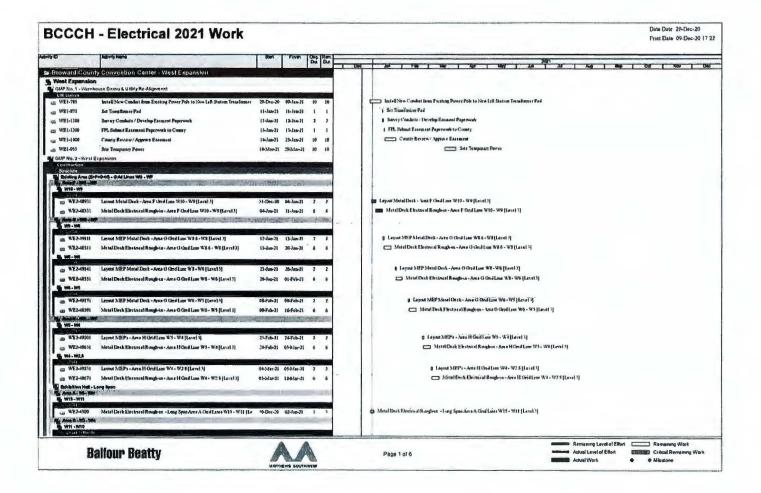


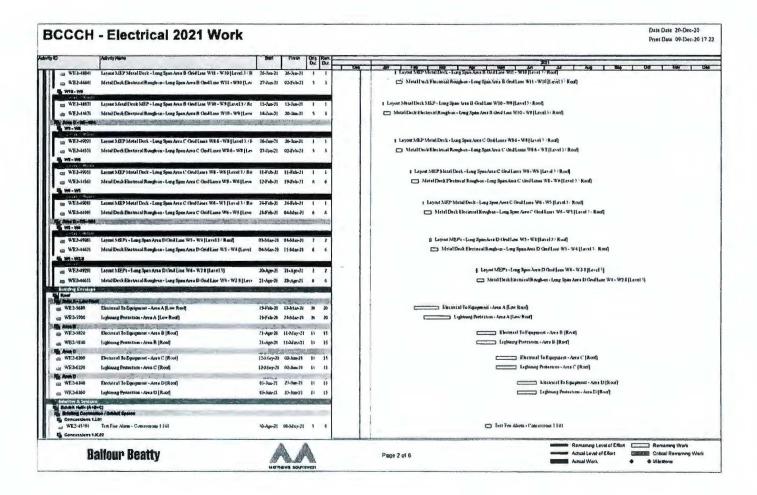


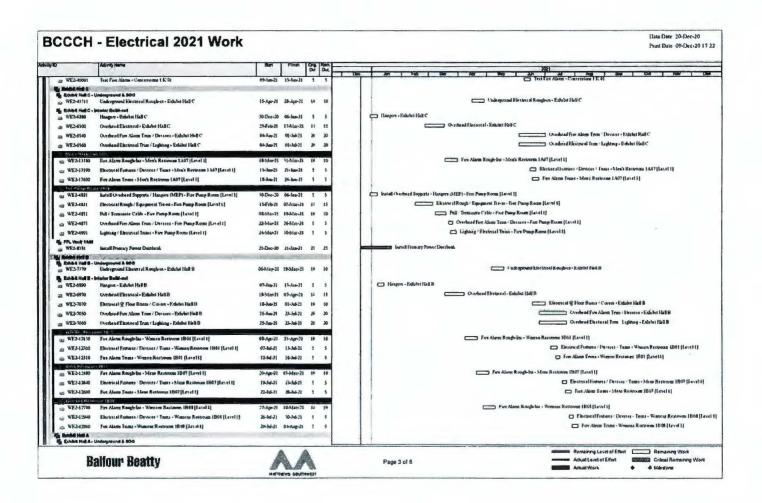


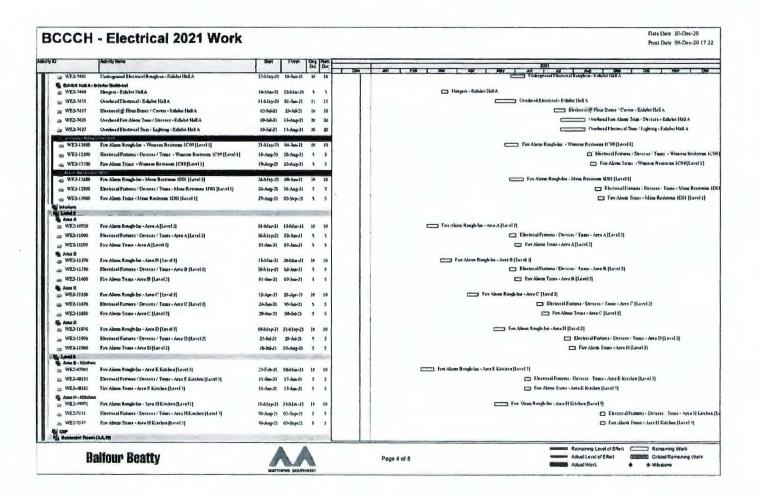


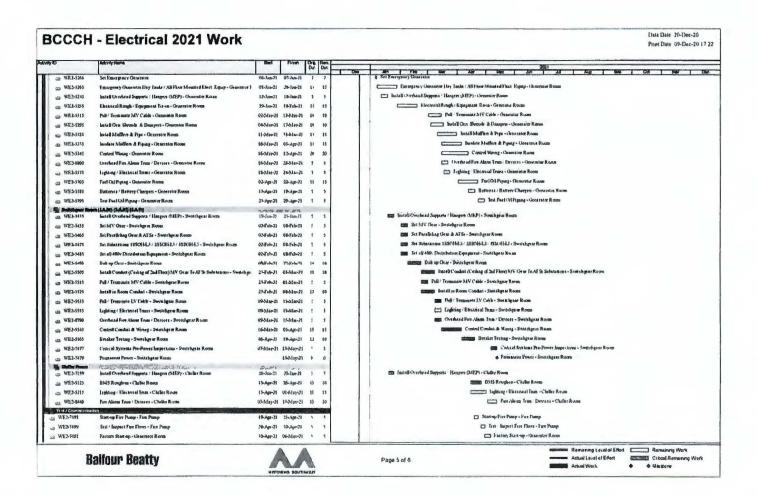


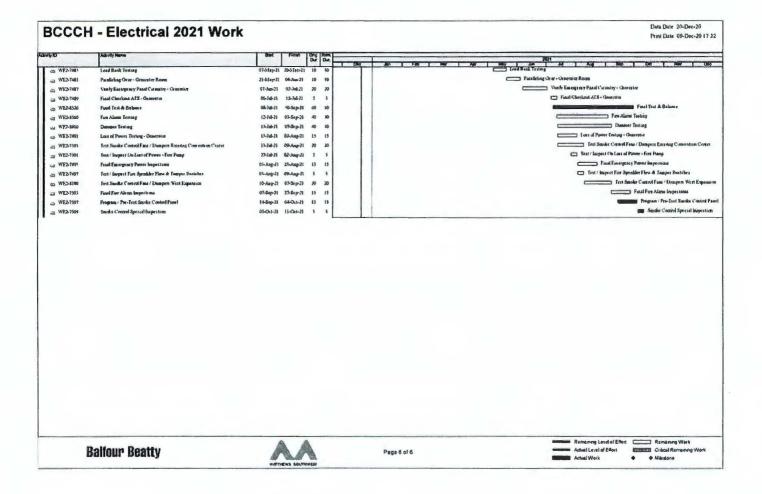


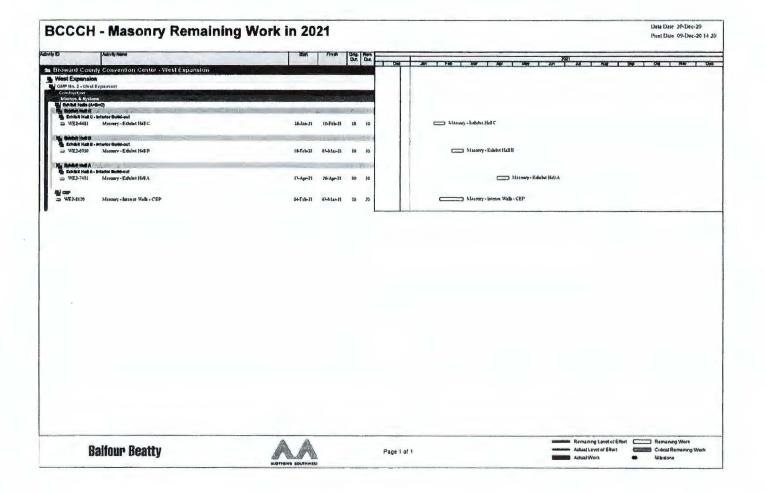


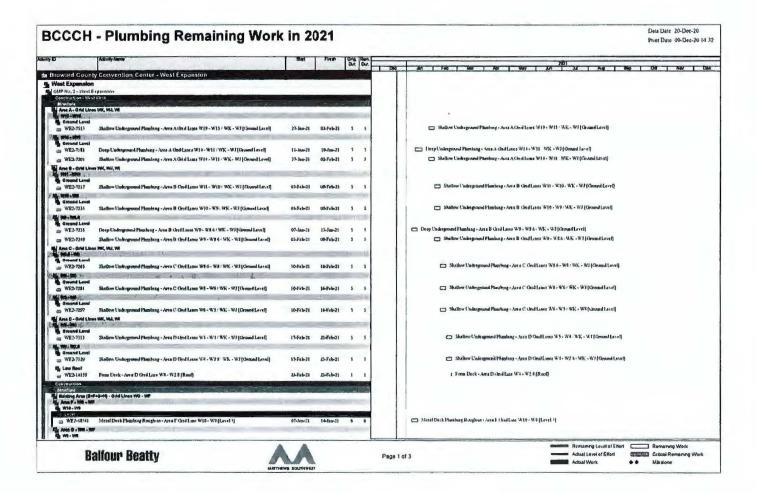


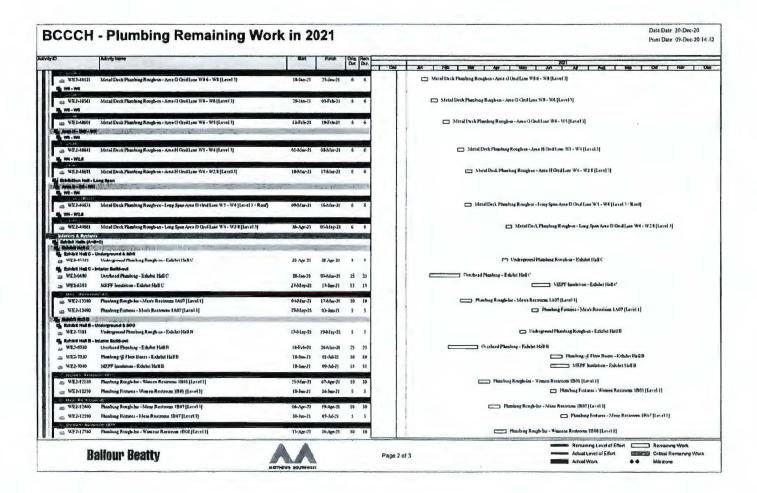


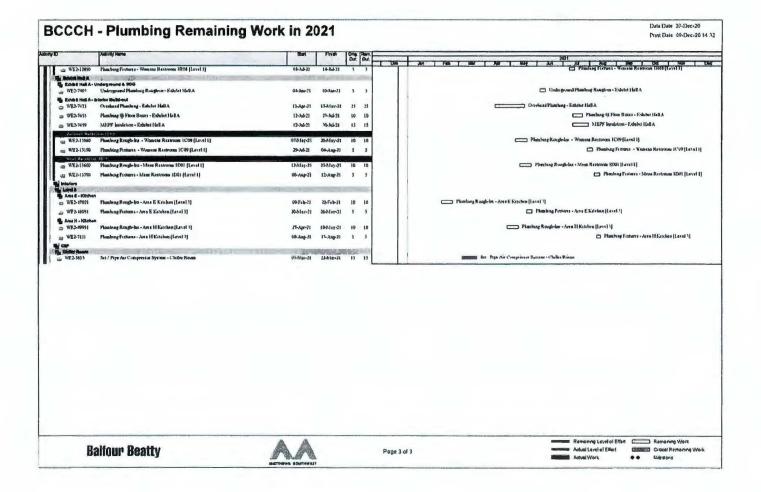


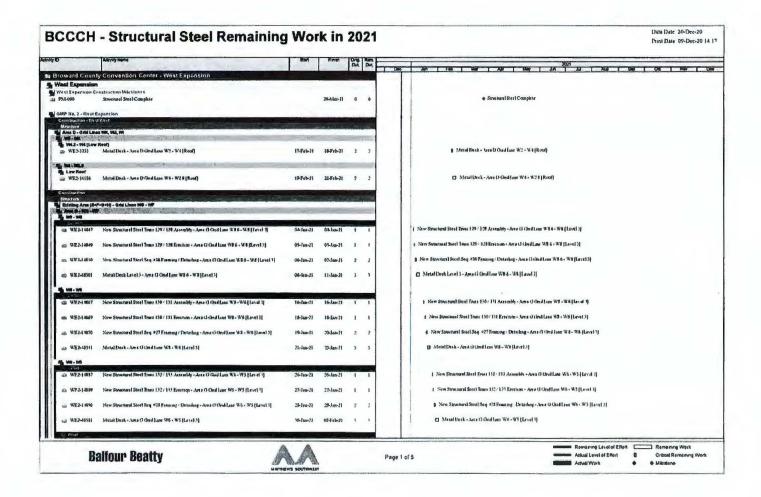


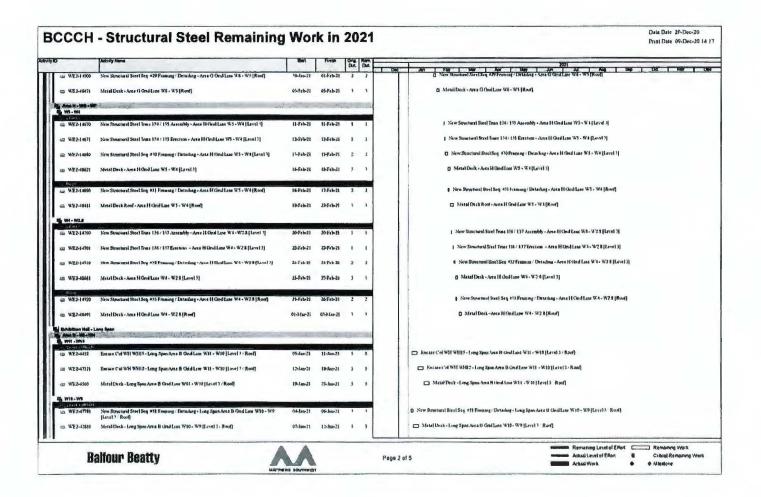


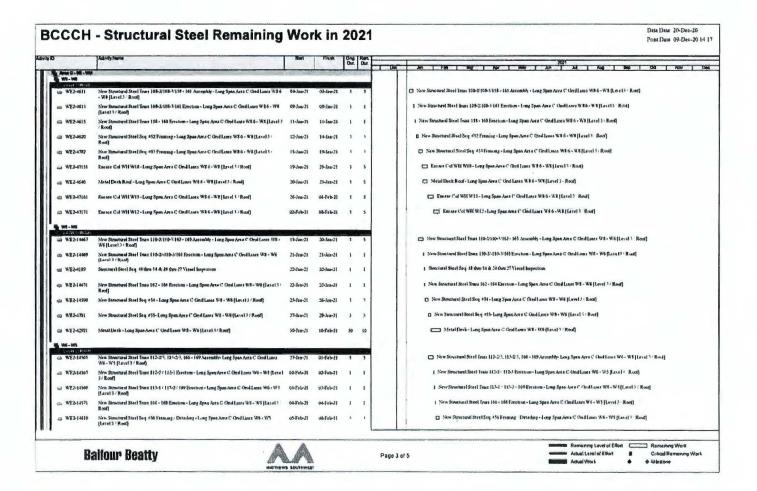


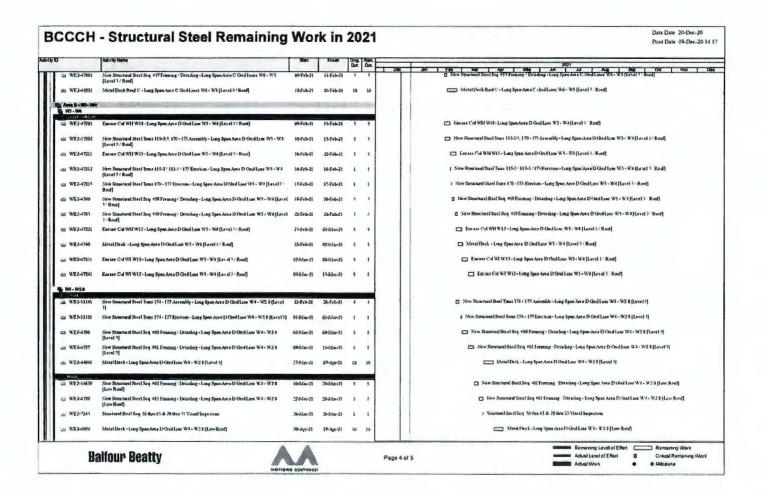


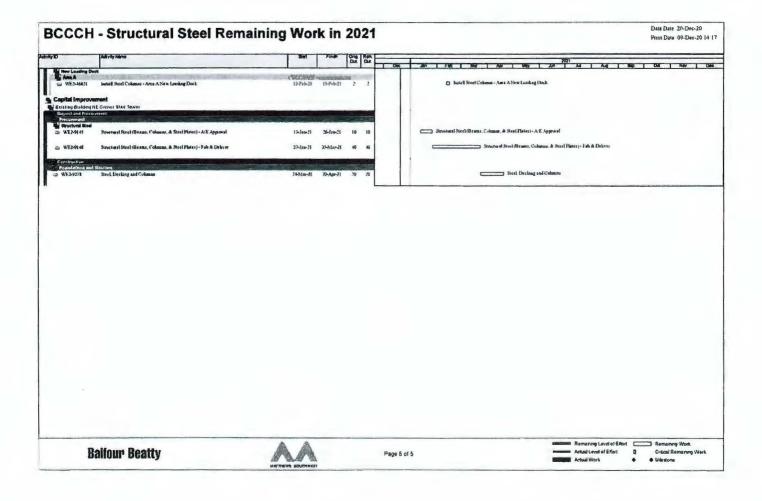












# **UPDATED COVID-19 PLAN FOR BCCCH OFFICE AND FIELD**

Date Modified: 12/10/2020

COVID Plan Captain: Lisa Falso

#### **GUIDELINES FOR OFFICE**

This plan is effective immediately for all Balfour Beatty employees working at the BCCCH project office located at 1799 SE 17<sup>th</sup> Street. Any employees with constraints such as childcare, family members with underlying conditions, etc. that are being affected by COVID-19 must contact John Parker to discuss any potential concerns.

The following is the guide moving forward for the foreseeable future:

#### Office Hygiene

Due to Covid-19 there will be a continued effort to improve the overall hygiene of the BCCCH office and the project site.

Balfour Beatty will perform office cleanings consistent, to the greatest degree possible, with the CDC guidelines: <a href="https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html">https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html</a>

- In addition to the CDC guidelines Balfour Beatty has employed a full-time cleaning person (Sharonda Neil) to sanitize all door handles, surfaces, desk, etc. Please accommodate Sharonda and thank her daily!
- 2. Wash your hands with soap and water or use hand sanitizer, especially after touching used items or surfaces. This must be done when you enter the building.
- 3. Avoid touching your face
- 4. Sneeze or cough into a tissue, or the inside of your elbow
- 5. Disinfect frequently used items and surfaces as much as possible
- 6. Continue using face coverings while in public, and particularly when using mass transit
- 7. Restrooms
  - a. Personnel are required to wear face covering when entering restrooms
  - b. All Employees and Guests must wash their hands when leaving the restroom
  - c. Waste cans will be no touch and will be located in and out of restrooms
  - d. Waste to be removed throughout the day
- Restrict COMMON AREAS (Breakroom 2-person limit) to be used for heating up food, putting food in the fridge, and/or getting coffee/water/soda. There will be no consumption of food in the kitchen.

#### People Who Feel Sick Must Stay at Home

- 1. DO NOT GO TO WORK contact your manager
- If you go to the doctor please self-quarantine in accordance with the doctor's and/or CDC recommendations

12/10/20

## Office Personnel - Social Distancing Requirements

- You must follow Social Distancing guidelines as outlined in the CDC.
- In order to Social Distance in the office please:
  - o Do not enter another employee's office.
  - o Stand outside door.
  - o No more than 1 person in the hallway outside an office at a time.
- All employees will wear PROTECTIVE cloth face coverings/face mask when work requires less than 6
  feet of separation and when walking through the office. This includes all public spaces.
- · Personal accountability for cleaning and disinfecting high touch surfaces
  - Each employee will be provided a bottle of hand sanitizer at desk
  - o Hand sanitizer will be located on each side of all doors
  - o We will have trash cans on either side of all doors
  - o Disinfectants will be available in each area of the office for your use
- . We will be spacing all workstations in open areas to ensure 6' or more of separation
- For the foreseeable future we will be utilizing TELEWORK, Microsoft Team site, GoToMeetings for all project team meetings and for any meetings with 10 or more individuals (when meeting outside of the TELEWORK mask must be worn)
- Minimize NON-ESSENTIAL Travel. If you do have to travel, please advise your supervisor prior to travel.
- When transporting between the office and field make sure that you sanitize the vehicle and face coverings must be worn in accordance with CDC.
- VISITORS should be discouraged from entering office, if required, individuals must sign in and follow the same guidelines as written in this plan. All Visitors must schedule an appointment. No walk-ins allowed.
- · Everyone is encouraged to bring their food and eat at their desk.

#### Logistics:

Reference attached plan. There is a dedicated access point exclusively for ingress/egress to/from the office to support social distancing as recommended by the CDC.

Please note that all doors are to remain locked and you must always carry your key card access with you at all times. We are installing an Al Phone at the reception desk glass door. This will allow Lisa to communicate with and control access at the glass door.

No guests are allowed in the building without prior communication with Lisa Falso.

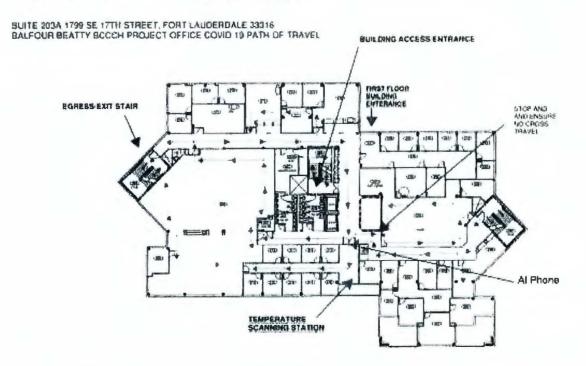
NOTE ALL EMPLOYEES AND GUEST MUST BE SCANNED BY THE THERMAL IMAGAING CAMERA LOCATED AT THE OFFICE LOBBY EVERY TIME THEY ENTER THE OFFICE. IF ANYONE IS SCANNED AND IDENIFIED AS HAVING AN ABNORMAL TEMPERATURE (AS NOTED BY THE THERMAL IMAGING CAMERA) WILL BE ASKED TO LEAVE THE OFFICE AND NOT RETURN UNTIL THEY HAVE RECEIVED A RELEASE FROM A DOCTOR.

- We have taken into consideration corridors for one-way travel to minimize interaction with others. Foot traffic in the office shall be one way. See map below for routes and direction of travel. We will post signs to indicate direction of travel through the office.
- Stairwells are one-way, signage will be posted

12/10/20

We are encouraging everyone to utilize the stairs if possible. If not, only one person per elevator

AS A BACKUP PLAN ALL EMPLOYEES NEED TO HAVE A WORKSTATION AT THE OFFICE AND THEIR HOME. BBC WILL PROVIDE MONITORS FOR YOUR OFFICE AT HOME IF NEEDED. ALL MONITORS MUST BE RETURNED TO BBC AFTER THE COVID 19 IS OVER.



#### **GUIDELINES FOR FIELD**

- 1. All team members must communicate the plan daily
- 2. Checks are completed at the gate, entrance to the work, during morning safety huddles and periodic checks through the work day.
- 3. Plan must be updated based on the progress of the work/change conditions.
- 4. Constant recommunication of the plan / plan updates

# Items to check daily in the field:

- 1. Signage at the gates, fence and within the project limits showing social distancing
- 2. We have a person at each entrance that stops every person to visually inspect to ensure they are not showing any of the main signs of the COVID-19 (fatigue, cough, breathlessness, etc..) and to educate them in English and Spanish what social distancing is. If someone shows any signs of COVID-19 per the CDC they are not allowed to enter the site.
- 3. Ensure team members walk around all day making sure that everyone is staying 6' away. There are some instances where the individuals do to safety reason do have to be within 6' but limited to actual need. Subs are to identify who on the teams are working near each other to track should one of them become symptoms

12/10/20

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- Cleaning team members must clean all surfaces non-stop ail day (toilets, tables, handles, gates, etc)
- 5. All morning meeting are to be handled separately to ensure there are no large groups of people in one area. The individual groups stay at least 6 feet away from each other.
- 6. Document daily with pictures to show the separation
- The helicopter flies over once a day to take pictures of the site to verify social distancing is happening. Ensure we are reviewing the pictures for social distancing
- 8. All AHJ's have assigned parking to ensure there is separation around them and they have clear access to the site without interacting with the workers
- 9. If someone is identified to be sick/potentially sick we will immediately stop work in the area and disinfect the tools, equipment and area the worker was working. Anyone working near the worker will be asked to leave and self-quarantine and must provide a note from a doctor before they return.
- 10. Every subcontractor must have a COVID-19 plan and monitor their plan
- 11. Leadership must walk once a week with the prime subs to ensure we are working together to address any concerns
- 12. We have added a safety person to the site for another set of eyes and to ensure we are working safely
- 13. We have increased the servicing schedule of the port-o-lets and hand wash stations to daily
- 14. Lunch and break areas are set-up to adhere to the 6ft separation
- 15. Self-serve from lunch truck has been eliminated. Designated person distributes contents.



All Delivery Drivers Must Be Temperature Checked and Advised Of COVID-19 Protocols

All Workers Must Be Temperature Checked and Advised Of COVID-19 Protocols at the Site Gate and Building Entrance.



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The five year average for the months listed above is 33 inches. The actual rainfall during the months listed above was 92.21 inches. There were sixty more inches of rain in 2020 than the five year average.

8.9 Rain Fall Information for 2020



December 17, 2020

Mr. Thomas Stedem Senior Project Manager Balfour Beatty 1799 SE 17th Street Fort Lauderdale, Florida 33316

e: Report of Noise Level Estimation – Additional Hours Broward County Convention Center 1950 Eisenhower Boulevard Fort Lauderdale, Florida Project 16698 Proposal 20-0911

Dear Mr. Stedem:

NV5 Inc. submits this letter in fulfillment of the requested scope of service. NV5 has been providing Noise Monitoring Summary reports. This report provides a summary of the information collected since the previous report.

The project site is located at 1950 Eisenhower Boulevard. In October 2020, a monitoring unit was placed at the southeast corner of the building at 1799 SE 17<sup>th</sup> Street, Fort Lauderdale, FL.

Noise Monitoring starting in October, 2020 and is currently ongoing. This report addresses the information recorded from October 31, 2020 to December 15, 2020.

#### **PURPOSE**

The purpose of our services on this project were to: provide a review of noise levels that could be expected at adjacent condominium property line north of the convention center for construction at hours outside of those outlined within the City of Fort Lauderdale noise regulations.

### NOISE MONITORING EQUIPMENT

NV5, in conjunction with Geosonics, provided noise monitoring equipment to the project. For this project a Re:mote Noise Level Meter operated at the southeast corner of the building at 1799 SE 17<sup>th</sup> Street, Fort Lauderdale, FL. Normally a noise limit is provided. We understand that a specific limit for noise was not provided for this project.

#### Remote Equipment

NV5 provided Re:mote Noise Level Meter monitoring equipment to the project. The monitoring units run daily providing the summary records that are transmitted and reported daily to an online site. The unit

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transmits the data to us daily and we review the day's noise levels and cite the maximum value recorded each day.

The reports online summarize the noise levels a day at a time from the instrument location. They are histogram format or vertical bars of the vibration levels recorded during the day.

#### **REVIEW OF NOISE MONITORING DATA**

Based on the attached report, noise limits of the City of Ft. Lauderdale that are represented by 60 dBA during day time hours and 50 dBA during night time hours, can't be met due to the fact that the noise from the adjacent street and associated community produce levels in the range of 60-70 dBA. These levels were recorded during the above mentioned period consistently and we highly recommends these levels to be considered as acceptable ambient levels of noise for this project only.

Attached to this letter is the summary of the Re:mote noise data collected for the time period of October 31, 2020 through December 15, 2020 and estimates that the noise levels during extended hours projected to the north properties would not be in excess of the noise regulations of the City.

Complete copies of the data for each day have been available online.

#### **CLOSURE**

We appreciate the opportunity to be of service. In the event you have questions about information in this report, please contact the undersigned.

Florida I

Sincerely,

 $\leq 1$ 

Glenn Massinger Project Manager

Attachments: Re:mote Unit Noise Summary Report (11 pages)

2 Copies to Addressee via U.S. Mail

Copy to NV5 File

NIVIS

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December 18, 2020

Glenn Massinger, Project Manager NV5 14486 Commerce Way Miami Lakes FL 33016 Suite 4 6900 S. W. 21st Court Davie, FL 33317

Phone 954.424.2101 Fax 954.424.2104

Re: Broward Convention Center - Noise Level Estimation - Additional Hours

Dear Mr. Massinger:

Per your request I am providing a review of noise levels that could be expected at the adjacent condominium property line to the north of the convention center for construction at hours outside of those outlined within the City of Fort Lauderdale noise regulations. Construction is currently operating at hours of 8:00 am to 7:00 pm. Due to time requirements on the project the proposed working hours will be 7:00 am to 10:00 pm the following day. As noise level monitoring has been completed with a Re:mote™ Noise Level Meter operated at the southeast corner of the building at 1799 SE 17<sup>th</sup> Street, Fort Lauderdale, FL this letter covers our opinion on the noise levels expected.

Noise is measured at ground level at the "receiving land use" property line according to the Fort Lauderdale Noise Code. With the unit in its existing location it is on the ground level with a microphone approximately 4 – 5' off the ground consistent with how noise is to be measured. The noise is measured in a line consistent with the property line / building area of the structures north of SW 17<sup>th</sup> Street. The levels measured at this point would be consistent with those for comparison to the City code. The noise levels measured from the installation on October 31 through December 15 have been considered.

The extended hours that would be used in the upcoming work would be primarily for steel erection located at the northwest corner of the site extending south and parallel with the existing convention center. The closest area to the condominium to the north is approximately 570 feet. Associated with this work would be the use of a forklift that generates 85 dBA at a distance of 50 feet. This level is the estimated maximum and calculated at the closest point of the operation. As this is mobile equipment the peak level only occurs when the forklift would be in that closest area. At other times since the project would work south to north the levels would be consistently lower.

In order to determine compliance with the City regulations a calculation of noise at the adjacent properties is necessary. Noise reduces with distance and using a standard calculation noise may be predicted based upon an initial level and

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distance. The use of the inverse square law allows predication in that a sound level (intensity) will drop off as distance increases. This law which has been demonstrated by evidence and actual measurement calculates a six (6) decibel drop with a doubling of the distance in feet. Considering the 85 decibel level for the forklift at 570 feet noise would reduce to 64 dBA.

The predicted level is presuming no uninterrupted path for the sound and that no existing levels are considered. In this case the elevated section of the SE 17<sup>th</sup> Street Bridge over the Intracoastal Waterway would provide shielding and reduced noise at the property line. However, the largest reduction of noise would be the shadowing of any noise at the Convention Center by existing noise from the community and traffic on SE 17<sup>th</sup> Street.

Measured levels from October 31, 2020 through December 16, 2020 show that noise from the adjacent street area and associated community produce levels that do not regularly go below 60-65 decibels up to 70 decibels. This data shows a solid noise level that exists over this period consistently. This may be considered as the "ambient" level of noise. Graphs are attached following the conclusion of this letter that show data from the noise meter for a series of dates which also identify City time frames and working shifts. Also shown are two graphs showing overall noise levels as the one minute maximum levels from October 28 through December 16, 2020. As the noise levels are 60 – 65 decibels at the minimum the 64 dBA generated by the forklift would be obscured by community ambient levels. Also, considering the noise levels occur 24-hours over this range of noise, the 60 dBA daytime and 50 dBA nighttime noise limits of the City cannot be met due to ambient conditions. In our opinion the noise levels projected to the north properties would not be in excess of the noise regulations of the City.

If you have any questions please feel free to contact me.

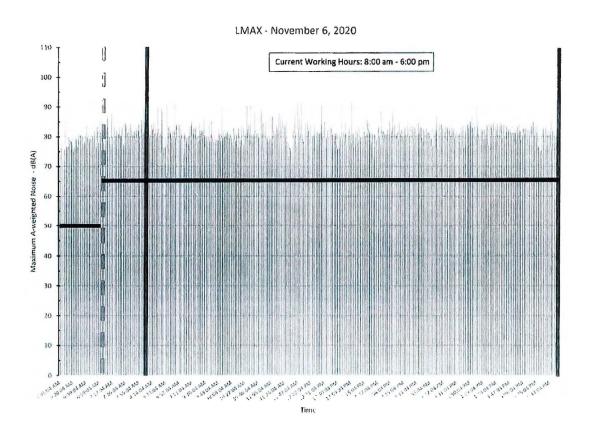
Sincerely,

Jeffrey A. Straw

Vice President and Area Manager

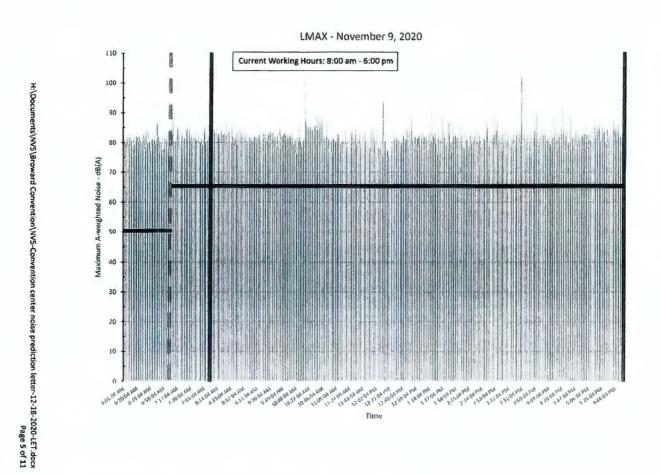
8.10 NV5 Signed and Sealed Engineered Calculation





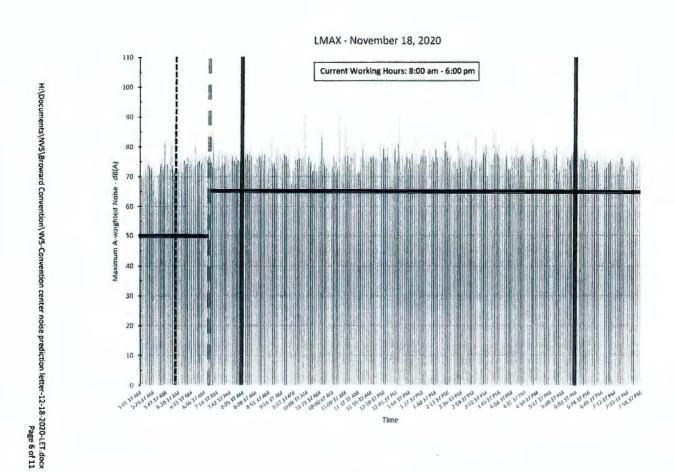
8.10 NV5 Signed and Sealed Engineered Calculation

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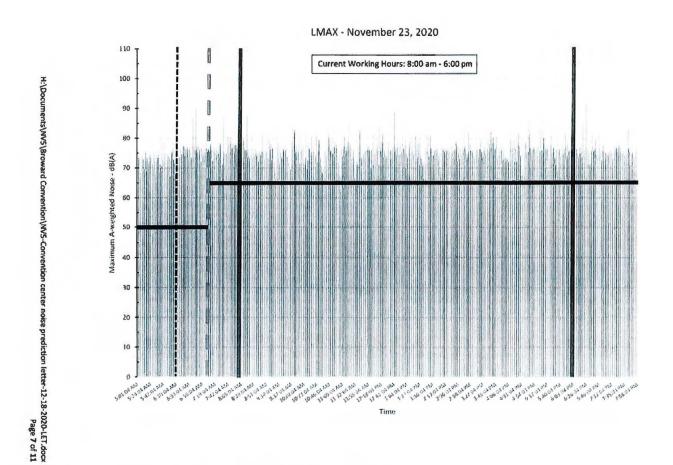
8.10 NV5 Signed and Sealed Engineered Calculation

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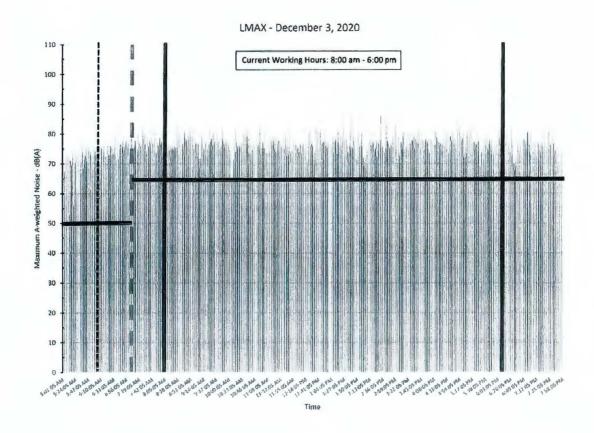


8.10 NV5 Signed and Sealed Engineered Calculation

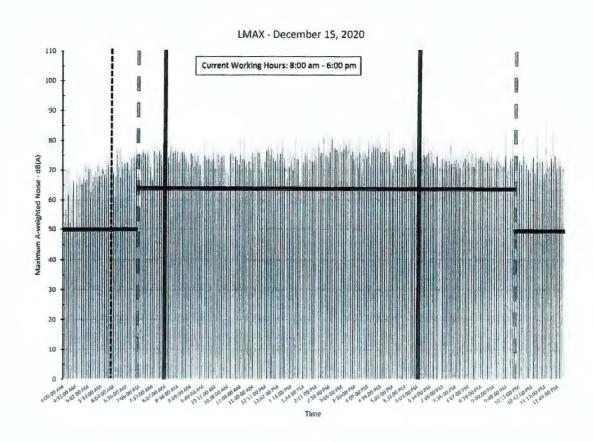
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8.10 NV5 Signed and Sealed Engineered Calculation



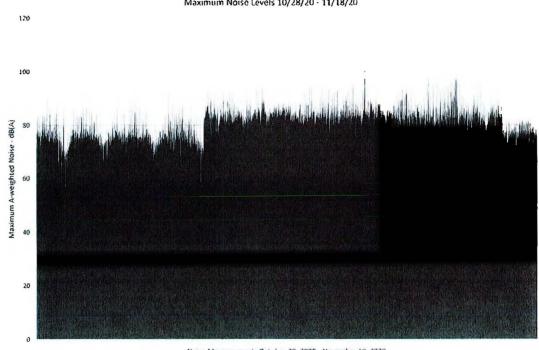
8.10 NV5 Signed and Sealed Engineered Calculation



8.10 NV5 Signed and Sealed Engineered Calculation

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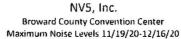


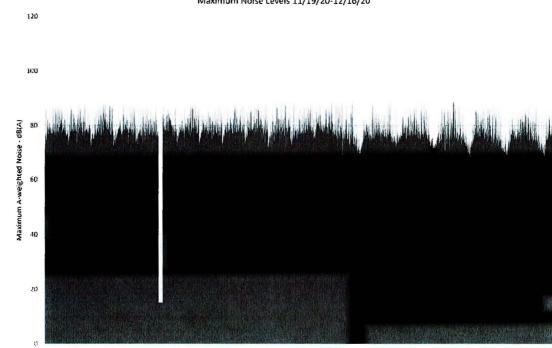
Noise Measurements October 28, 2020 - November 18, 2020

## 8.10 NV5 Signed and Sealed Engineered Calculation

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Noise Measurments - November 19, 2020 - December 16, 2020

8.10 NV5 Signed and Sealed Engineered Calculation

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### **RESOLUTION NO. 21-**

A RESOLUTION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE APPROVAL OF ADDITIONAL EXTENSIONS OF TIME FOR A SPECIAL PERMIT ISSUED FOR AND EXEMPTING THE BROWARD COUNTY CONVENTION CENTER CONSTRUCTION FROM THE PROVISIONS OF SECTION 17-7.4 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 17-7.4 of the Code of Ordinances of the City of Fort Lauderdale, Florida, provides that it is unlawful for any person to operate or cause to be operated equipment for construction, repair, alteration or demolition work on buildings, structures, streets, alleys, or appurtenances Monday through Saturday before 8:00 a.m. or after 7:00 p.m. and Sunday before 10:00 a.m. or after 7:00 p.m.; and

WHEREAS, Section 17-10 of the Code of Ordinances entitled "Construction of large or complex projects (transportation and non-transportation); empowers the city manager to grant a special permit exempting construction projects from the provisions of Section 17-7.4 upon the showing of good cause; and

WHEREAS, the City Commission adopted Ordinance No. C-21-08 on March 2, 2021 amending Section 17-7.4 of the Code of Ordinances to provide the City Commission with authority to grant additional extensions of time upon a showing of good cause and when it is demonstrated that the special permit is in the best interest of public health, safety or convenience.

WHEREAS, the City Manager granted a thirty (30) day special permit exempting the construction of the Broward County Convention Center from the provisions of Section 17-7.4 in order to allow sufficient time for the installation of necessary materials, equipment, facilities, or modifications necessary for construction pursuant to Section 17-10(a) that expired on February 24, 2021; and

WHEREAS, the City Manager granted an additional fifteen (15) days extension to the special permit as authorized pursuant to Section 17-10(b)(1) that is set to expire on March 11, 2021; and

WHEREAS, Broward County submitted a request that includes a Noise Management Plan in which Broward County requested that the City grant an extension to the special permit to October 2021;

RESOLUTION NO. 21- PAGE 2

WHEREAS, The Noise Management Plan submitted by Broward County and presented to the City Commission at its March 2, 2021 City Commission regular meeting shows good cause and demonstrates that the special permit is in the best interests of public health, safety, and convenience.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

<u>SECTION 1</u>. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

<u>SECTION 2</u>. That the City Manager is hereby authorized to grant an additional extension of time to the special permit issued to Broward County exempting the construction of the Broward County Convention Center from the provisions of Section 17-7.4 in order to allow sufficient time for the installation of necessary materials, equipment, facilities, or modifications necessary for construction pursuant to Section 17-10(a).

<u>SECTION 3</u>. That the City Manager shall have the ability to revoke the permit pursuant to Section 17-10(b)(7). Notwithstanding the above specific grant to the City Manager, the City Commission reserves to itself the right to revoke the special permit under Section 17-10(c).

<u>SECTION 4</u>. That this authorization and any extensions granted pursuant to it shall expire on October 31, 2021.

SECTION 5.	That this resolution shall be in full force and effect upon final	passage.
	ADOPTED this day of, 2021	
	Mayor DEAN J. TRANTALIS	
ATTEST:		
City	ty Clerk	

JEFFREY A. MODARELLI