

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, September 4, 2018

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

***DEAN J. TRANTALIS Mayor - Commissioner
BEN SORENSEN Vice Mayor - Commissioner - District IV
HEATHER MORAITIS Commissioner - District I
STEVEN GLASSMAN Commissioner - District II
ROBERT L. McKINZIE Commissioner - District III***

***LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
ALAIN E. BOILEAU, City Attorney***

CALL TO ORDER

Mayor Trantalis called the Commission Regular Meeting to order at 6:09 p.m.

Invocation

Reverend Jill Auman - First United Methodist Church

Pledge of Allegiance

Mayor Trantalis

ROLL CALL

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

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, Interim City Attorney Alain Boileau, City Auditor John Herbst and Sergeant at Arms Andy Pallen

AGENDA ANNOUNCEMENTS

City Clerk Jeffrey Modarelli made the following Agenda Announcements:

Removed from Agenda:

PUR-8

Revisions

M-1 - Exhibit 3 Pages 11 and 12

OFR-1- Exhibits 1-8 added to the Ordinance

Approval of MINUTES and Agenda

[18-0977](#)

Minutes for August 21, 2018 City Attorney Interviews

Commissioner Glassman noted a correction to the minutes. City Clerk Jeffrey Modarelli confirmed the scrivener's error would be corrected.

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

APPROVED AS AMENDED - Amended Minutes to reflect end of meeting time

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

PRESENTATIONS

PRES- [18-0866](#)

1

Community Appearance Board WOW Award for District I

Commissioner Moraitis presented the Appearance Board WOW Award for District I to Camilo Quintero, 5651 Bayview Drive.

PRESENTED

PRES- [18-0971](#)

2

City of Fort Lauderdale - Recipient of the Florida Department of Health 2018 Healthy Weight Community Champion Award

Dr. Paula Thaqi, Florida Department of Health, presented the Florida Department of Health 2018 Healthy Weight Community Champion Award (Award) to the City of Fort Lauderdale. Dr. Thaqi explained details and aspects of the Award, and presented the Award to Human Resources Staff members Tina Patregnani and Michael Naftaniel, who accepted the Award on behalf of the City.

PRESENTED

PRES- [18-0982](#)

3

Recognition of The City of Fort Lauderdale Parks and Recreation Department - Recipient of The Florida Festivals and Events Association 2018 SUNSensational Awards in the Television PSA category

Parks and Recreation Director Phil Thornburg recognized the City of Fort Lauderdale Parks and Recreation Department as Recipient of The Florida Festivals and Events Association 2018 SUNSensational Awards in the Television PSA category (Award). Mr. Thornburg requested Parks and Recreation Staff members Debbie Bylica, Recreation Program Coordinator, and Angela Sabina, Strategic Communication Specialist, join him at the podium. Ms. Bylica and Ms. Sabina accepted the Award on behalf of the City. The winning video entitled "Happy" was shown.

Mayor Trantalis thanked Parks and Recreation Staff for their award-winning efforts.

PRESENTED

PRES- [18-0865](#)
4

Recognition of Captain Robert Ricci - Recipient of the Dave Foster Paramedic of the Year Award - Fire Chief's Association of Broward County 2018 EMS Awards

Fire Rescue Chief Rhoda Mae Kerr recognized Captain Robert Ricci as recipient of the Dave Foster Paramedic of the Year Award from the Fire Chief's Association of Broward County 2018 EMS Awards. Chief Kerr expounded on Captain Ricci's history with the Fire Department and his outstanding work above and beyond normal EMS responsibilities. Mayor Trantalis thanked Captain Ricci.

PRESENTED

PRES- [18-0972](#)
5

Recognition of Fort Lauderdale Ocean Rescue Lifeguards - Recipient of the United States Lifesaving Association 2018 National Championships

Fire Rescue Chief Rhoda Mae Kerr requested the Ocean Rescue Life Guards present to join her at the podium. Chief Kerr expounded on details associated with Fort Lauderdale Ocean Rescue Lifeguards as winners of the United States Lifesaving Association 2018 National Championships held in Virginia Beach, Virginia. Mayor Trantalis congratulated the Ocean Rescue Lifeguards.

PRESENTED

PRES- [18-0963](#)
6

Recognition of Fort Lauderdale Community Emergency Response Team (CERT) - National CERT Team of the Year Award

Fire Rescue Chief Rhoda Mae Kerr requested Community Emergency Response Team (CERT) members present to join her at the podium. Chief Kerr recognized Fort Lauderdale CERT members as winners of the National CERT Team of the Year Award, expounding on the criteria for this award and commenting on specific CERT team accomplishments that benefit the community. Mayor Trantalis thanked members of CERT and acknowledged Kim Centamore for her 13 years of work with CERT efforts.

PRESENTED**CONSENT AGENDA PUBLIC COMMENT**

The following items were removed from the Consent Agenda for separate discussion:

CM-2, CR-4, CR-5 and PUR-4

CONSENT AGENDA**CONSENT MOTION****Approval of the Consent Agenda**

Vice Mayor Sorensen made a motion to approve the Consent Agenda and was seconded by Commissioner McKinzie.

Approve the Consent Agenda

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

CM-1 [18-0880](#)

Motion to Approve Event Agreements: CCA 5K, Take Steps Fort Lauderdale, 3rd Annual Fort Lauderdale P1 Grand Prix of the Seas, and Ragnar Relay South Florida 2019

APPROVED

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

CM-2 [18-0881](#)

Motion to Approve Event Agreements, Related Music Exemptions and/or Road Closures for International SuperYacht Society Gala, the Seminole Hard Rock Winterfest Boat Parade, Day of the Dead and Dark Star Orchestra

Commissioner Glassman inquired about the date change for this event from the second Saturday to the third Saturday of December. Mayor Trantalis recognized Kathy Keleher, Winterfest Marketing and Parade Director. Ms. Keleher explained that event dates vary depending upon calendar aspects and are determined three years in advance.

In response to Commissioner Glassman's question about associated road closures and neighbor notification regarding items CM-2 and CM-3's events, City Manager Feldman explained efforts to involve neighbors with event notification and preparation.

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

APPROVED

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

- CM-3** [18-0882](#) Motion to Approve Event Agreements and Related Road Closures: Winterfest Family Fun Day, NovemberFest 2018, The Boardroom Bar's 5th Anniversary Vintage Car/Truck Show, and The Taste the Island Experience 2019 and Chanukah Fair on Las Olas

APPROVED

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

- CM-4** [18-0836](#) Motion to Approve the 2018-2019 State Housing Initiatives Partnership (SHIP) Funds and Amend the 2017-2018 SHIP Funds and Program Income

APPROVED

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

- CM-5** [18-0853](#) Motion Accepting Equipment from the City of Hollywood Fire Rescue Department via the Broward County Emergency Medical Services (EMS) Grant Program in the amount of \$6,821

APPROVED

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

- CM-6** [18-0892](#) Motion Authorizing Purchase of Workers' Compensation Insurance - Colony Insurance Company - \$409,500

APPROVED

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

- CM-7** [18-0867](#) Motion to Approve a Deed of Conservation Easement and Agreement with Broward County Environmental Protection and Growth Management Department for a Portion of Parcel 21B at Fort Lauderdale Executive Airport

APPROVED

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

CONSENT RESOLUTION

- CR-1** [18-0528](#) Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2018 - Appropriation

ADOPTED

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

CR-2 [18-0925](#)

Resolution to Dispose of City-Owned Surplus Property located at 2941 NW 19 Street

ADOPTED

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

CR-3 [18-0940](#)

Resolution to Dispose of City-Owned Surplus Property located at 11XX NW 2nd Ave

ADOPTED

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

CR-4 [18-0966](#)

Resolution to Dispose of City-Owned Surplus Property located at 5XX NE 7 Avenue

Commissioner Glassman inquired about neighbors' desire to have a linear park at this location. He also commented on discussing the "as is" value of the surplus property being considered for development on Federal Highway and inquired about the process. City Manager Feldman said it is a competitive process. The Commission can reserve the right to make the award based upon the best interests of the City. A recent appraisal was done on the property. The applicant intends to make this property an open green space and will proceed with the Development Review Committee (DRC) process.

Commissioner Glassman requested the Victoria Park Civic Association (Association) be included in all aspects of this item, confirming the Association's support of a park at this location.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King discussed the history of this parcel and neighbor concerns, requesting the involvement of the Association prior to a final decision.

In response to Commissioner McKinzie's question about the appraisal of this property and the process, City Manager Feldman confirmed the appraisal was \$345,000 and commented on the process. Discussions ensued on the ability to build on the property.

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

ADOPTED

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

CR-5 [18-0970](#)

Resolution Waiving the Provisions of the Procurement Ordinance Relating to the Purchase of Office Furniture for the Mayor's Office - Paradox Home Studio - \$9,715

Commissioner McKinzie explained why he requested separate discussion on this item. City Manager Feldman commented on the process to pursue this purchase under existing contracts. Further comments ensued on cost savings involved.

Mayor Trantalis recognized Kirk Buffington, Director of Finance. Mr. Buffington commented on the competitive process, acknowledging the unique nature of these items and the Finance Department's good faith effort to find a quote for similar items. Mayor Trantalis discussed efforts to patronize local businesses and purchasing floor sample items at a reduced cost. Further comments ensued.

In response to Vice Mayor Sorensen, City Manager Feldman explained the funding of this purchase. Commissioner Moraitis concurred with the need to replace the current 30-year old office furniture in the Office of the Mayor, noting these prices are reasonable. Further comment and discussion ensued. Mr. Buffington stated that the competitive process needs to be waived due to the unique nature of the floor-sample furniture.

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

ADOPTED

Aye: 4 - Commissioner Glassman, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CR-6 [18-0729](#)

Resolution Imposing Special Assessment Liens for Lot Clearing

ADOPTED

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

CR-7 [18-0730](#)

Resolution for Imposition of Special Assessment Liens for Costs Associated with the Securing of Multiple Properties

ADOPTED

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

- CR-8** [18-0870](#) Resolution Authorizing the Acceptance of Grant Funds and Execution of a Joint Participation Agreement with Florida Department of Transportation for Taxiway Intersection Design Improvements

ADOPTED

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

- CR-9** [18-0918](#) Resolution to Approve the 5th Amendment to the Lease Agreement with Southeast Toyota Distributors, LLC for the Option to Construct an Alternate Entrance and Exit Lane to Parcel 8H at Fort Lauderdale Executive Airport

ADOPTED

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

- CR-10** [18-0924](#) Resolution to Approve a Lease Agreement with the United States Customs and Border Protection to Lease Parcel 18 at Fort Lauderdale Executive Airport

ADOPTED

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

PURCHASING AGENDA

- PUR-1** [18-0747](#) Motion to Approve Contract for Disparity Study Consulting Services - MGT of America Consulting, LLC d/b/a MGT Consulting Group - \$175,000

APPROVED

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

- PUR-2** [18-0840](#) Motion to Approve Contract for Purchase of Liquid Oxygen - Airgas USA, LLC - \$194,184

APPROVED

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

- PUR-3** [18-0845](#) Motion to Approve Contract for Purchase and Installation of Playground Equipment - TopLine Recreation Inc. - \$174,492.19

APPROVED

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

PUR-4 [18-0852](#)

Motion to Approve Contract for Smartphone Mobile Application for the Beach Food and Non-Alcoholic Beverage Delivery Service Program - Eazyo App LLC

Commissioner Glassman inquired about receiving an ongoing update for this item. City Manager Feldman commented this program has not been as successful as hoped, due to the ability for patrons to order from other vendors and services. Further comments and discussion ensued.

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

APPROVED

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

PUR-5 [18-0857](#)

Motion to Approve Contract for Purchase of Plumbing Services and Maintenance - Pipeline Plumbing Services of Broward, Inc. - \$620,000

APPROVED

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

PUR-6 [18-0863](#)

Motion to Approve Contract for Purchase of Records Storage, Retrieval and Disposal Services - U & Me Transfer, Inc. - \$216,000 (estimated three-year total)

APPROVED

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

PUR-7 [18-0878](#)

Motion to Approve Continuing Contracts for Landscape Architect Consultant Services - Various Consultants - \$200,000 (estimated two-year total)

APPROVED

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

PUR-8 [18-0889](#)

Motion to Approve Contract for City Hall Data Center Air Conditioner Upgrade - Advanced Roofing, Inc., d/b/a Advanced Air Systems - \$371,705

REMOVED FROM AGENDA**MOTIONS**

- M-1** [18-0699](#) Motion Approving an Agreement with Entercom Miami, LLC for Riptide Music Festival on Fort Lauderdale Beach, November 30 - December 2, 2018
- Commissioner Glassman requested the applicant confirm communications with the Central Beach Alliance on event details.
- Mayor Trantalis recognized Vaughn Freeman, Entercom Communications, and Morgan Zimmerman, Lead Producer - Entercom Communications. Mr. Freeman confirmed communications with all neighborhoods and the Beach Improvement District.
- Mayor Trantalis recognized Debbie Rosenbaum, President of the Central Beach Alliance. Ms. Rosenbaum encouraged Mr. Freeman to meet with the Central Beach Alliance representatives and keep them updated on all event details.
- Commissioner Glassman introduced this item and was seconded by Vice Mayor Sorensen.

APPROVED

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

- M-2** [18-0831](#) Motion Approving 2019 Event Dates of the Agreement with Beach Majors USA, LLC for Fort Lauderdale Major 2019 to be held on Fort Lauderdale Beach, February 5 - February 10, 2019
- In response to Commissioner Moraitis' comments about the applicant's request for amplified music until 11:30 pm on Thursday, February 7, 2019 and until 11:00 pm on Sunday, February 10, 2019, Robert Morrison, ACT Productions, Inc. event producer said this item reflects last year's event request. Further comment and discussion ensued. In response to Mayor Trantalis, Mr. Morrison confirmed the event's amplified music would end at 11:00 p.m.
- Commissioner Glassman requested confirmation that event representatives have met with the Central Beach Alliance and have ensured that all residents are aware of event details. Mr. Morrison said he will confirm that his team has communicated with Ms. Rosenbaum, President of the Central Beach Alliance. He commented on communications with the Nighttime Economy team.

In response to Vice Mayor Sorensen's question about the duration of event setup, Mr. Morrison confirmed the duration has been significantly reduced, expounding on specific details.

Commissioner Glassman made a motion to approve this item as amended to have amplified music until 11:00 p.m. and was seconded by Vice Mayor Sorensen.

APPROVED AS AMENDED - 11 P.M. Cap

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

M-3 [18-0716](#)

Motion to Approve the Withdrawal from a Lease Agreement and Forfeit Deposit by Premier Parks, LLC for the Vacant Parcels at the Fort Lauderdale Executive Airport

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

APPROVED

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

M-4 [18-0923](#)

Motion to Approve Contract for Purchase of Disaster Debris Removal and Management Services - Ceres Environmental Services, Inc. - \$13,234,036

City Manager Feldman gave an overview of this item, putting this topic into context. He explained the process and subsequent bid award based upon qualifications and pricing, explaining the previous Commissions' action mandating a 30% factor on all bid contracts. Federal Emergency Management Agency (FEMA) and State assistance vary and are determined following a Declared State of Emergency (Emergency). City Manager Feldman discussed what is expected of a vendor following an Emergency. He requested Commissioner consideration of both vendor price and performance.

In response to Mayor Trantalis' question about Ceres Environmental Services, Inc., (Ceres) lowest bid response, City Manager Feldman confirmed Ceres was the lowest bidder when the required 30 percent factor rule is included. Further comment and discussion ensued on vendor service following Hurricane Irma. City Manager Feldman said performance is the primary consideration in vendor selection, commenting on the 30 percent factor rule.

In response to Vice Mayor Sorensen's question on the payment process

following an Emergency, City Manager Feldman said the vendor is paid by the City. Payments to the vendor are submitted to FEMA and the State of Florida (State) for reimbursement. City Manager Feldman discussed the amount of detailed monitoring for an Emergency response and the lengthy bureaucratic reimbursement process. Discussions ensued on the approximate amount of cost reimbursement from FEMA and the State following Hurricane Irma, and the City's portion.

In response to Commissioner Glassman, City Manager Feldman confirmed there could be more than one vendor. City Manager Feldman noted the logistical challenge involved, expounding on details. Further comment and discussion ensued.

In response to Commissioner Moraitis, City Manager Feldman confirmed that local business preferences do not apply to contracts reimbursed by the federal government. Commissioner Glassman inquired about utilizing local landfills for emergency response situations. City Manager Feldman noted some local landfills are privately owned and are not under the control of Broward County.

Mayor Trantalis recognized Brittany Perkins, CEO of AshBritt Environmental (AshBritt). Ms. Perkins introduced AshBritt team members in attendance. She discussed the qualifications of AshBritt and Ceres, emphasizing AshBritt's history, national experience and local partnerships. Ms. Perkins commented on Request for Proposal (RFP) requirements, the process and associated concerns. In response to Mayor Trantalis, Ms. Perkins explained details of Ceres' low bid, confirming it was significantly lower. Ms. Perkins discussed concerns on waste haul-out, stating that these materials will no longer be accepted at the Pompano Landfill. She also discussed concerns relating to Ceres' mileage estimates for debris haul-out services.

Mayor Trantalis recognized Randy Perkins, AshBritt Environmental. Mr. Perkins discussed the topic of lowest price versus the best and most responsive service. He commented on bid prices submitted by Ceres and prices paid for their services in Miami-Dade County following Hurricane Irma. Mr. Perkins noted similar occurrences in other Florida cities. Further comment ensued on pricing and services. Mr. Perkins commented on future haul-out of debris being transported to Okeechobee, waterway cleanup and RFP bid response pricing.

Mayor Trantalis recognized Karl Dix, Jr., Esq., legal counsel for Ceres. Mr. Dix introduced other members of Ceres team. He said pricing was 30 percent of the evaluation and 70 percent was based on the technical proposal, including qualifications and experience. Mr. Dix expounded on

Ceres' bid response, evaluation and work after Hurricane Irma, commenting on approved price increases passed on to contractors for work related to special circumstances following Hurricane Irma. The special circumstances were due to other storms converging within days of Hurricane Irma. He commented on details for similar approved price increases in local municipalities.

In response to Mayor Trantalis, Mr. Dix said during the time FEMA reimbursed 100 percent, FEMA paid all approved price increases. In response to City Manager Feldman, Mr. Dix confirmed those price increases have been accepted by FEMA. Ceres did not invoice for services until prices were accepted by FEMA. City Manager Feldman discussed his recollection. Mr. Dix gave an overview of Ceres actions relating to this topic.

Mayor Trantalis recognized Brian S. Fike, Director of Government Relations for Ceres. Mr. Fike confirmed he is the primary point of contact should Ceres be awarded the contract, giving a brief overview of his background and experience. Mr. Fike discussed the qualifications and reputation of Ceres.

Mayor Trantalis recognized David Preus, Senior Vice President of Ceres Environmental Services, Inc. Mr. Preus discussed the qualifications and experience of Ceres, confirming their ability to perform under the stated pricing structures. In response to Mayor Trantalis, Mr. Preus confirmed the amount of equipment owned by Ceres, expounding on specific details. Mr. Preus explained Ceres' RFP bid response and pricing.

Mayor Trantalis recognized Tia Laurie, Director of Administration for Ceres. Ms. Laurie spoke about the qualifications, pricing and Staff evaluation of Ceres. She discussed details relating to price increases following Hurricane Irma. In response to City Manager Feldman, Ms. Laurie confirmed that all contractors received price increases. Further comment and discussion ensued.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King provided his perspective on this topic, recommending using more than one vendor and devising a market-based solution.

Mayor Trantalis recognized Jacob Moskowitz, Esq., General Counsel for AshBritt. Mr. Moskowitz rebutted Ceres' position on the RFP bid response, commenting on input from Melissa Doyle, Program Manager for Public Works. He commented on AshBritt's position in the bid response evaluation. Mr. Moskowitz challenged Ceres pricing and claims regarding FEMA reimbursement and other issues, citing specific

instances and details. He confirmed that AshBritt has appropriate pricing.

Mayor Trantalis recognized Michael Moskowitz, Esq., outside counsel for AshBritt. Mr. Moskowitz confirmed that his firm filed the bid protest, discussing the impact of the 30 percent factor and the importance of timely performance. Mr. Moskowitz cited Section 5.3 of the RFP, confirming the Commission's prerogative to award a contract to the consultant that will serve the best interests of the City, expounding on details and rankings. He noted that Staff could review and discuss pricing for possible modification.

In response to Commissioner Glassman's question, City Manager Feldman said DRC was the contractor for debris removal following Hurricane Irma. Mayor Trantalis noted a key aspect involves the selected bidder's relationships with area subcontractors that allows the procurement of services at an affordable price.

Mayor Trantalis commented on his concern about Ceres' pricing and issues relating to the acceptance of price increases during Hurricane Irma cleanup.

Commissioner Glassman reiterated his previous recommendation to use the services of both AshBritt and Ceres to expedite the clean-up process. Further discussion ensued on this topic.

Mayor Trantalis recognized Melissa Doyle, Program Manager for Public Works. Ms. Doyle explained details involved with the review process and pricing evaluation. She expounded on the unique aspects of the City's debris management sites which benefit subcontractors. Ms. Doyle also noted the City's participation in an interlocal agreement with Broward County to access additional local debris management sites. There were significant variances in the line items of bid submittals. She commented on this topic and the performance bond requirement. Ms. Doyle discussed explanations from the three final vendors regarding how they handled debris cleanup and lessons learned following Hurricane Irma, expounding on each vendor response. She confirmed Staff's position on Ceres' capacity to perform, explaining specific details. Mayor Trantalis commented on pricing concerns related to Ceres.

In response to Commissioner Glassman's concern on the pricing discrepancy, Ms. Doyle commented on the variables involved. In response to Vice Mayor Sorensen, Ms. Doyle elaborated on the Selection Committee's input on the three final vendors, commenting on the details.

Commissioner Moraitis inquired about sand removal and current contractor pricing. Ms. Doyle noted the manner in which sand removal was addressed, confirming approximately 55,000 cubic yards of sand were removed post Hurricane Irma. She confirmed Ceres cost for sand removal is on the low side. Ms. Doyle expounded on vendor presentations and items involved with Staff selection. Further comment and discussion ensued on vendor pricing and sand screening requirements in other municipalities. City Manager Feldman commented how the City's system addresses pricing, citing examples and noting clean-up is dependent upon the characteristics of the storm.

Mayor Trantalis commented on bid pricing correlation to subcontractor hiring. City Manager Feldman continued his comments on performance being a priority over price. Commissioner McKinzie commented on details including equipment ownership and its location.

In response to Vice Mayor Sorensen, Mr. Preus confirmed Ceres owns approximately 500 pieces of equipment, confirming their location. Mr. Preus said that approximately 60-80 pieces of equipment were pre-staged prior to Hurricane Irma, expounding on details of debris cleanup efforts. Further comment and discussion ensued on Ceres' services following a storm emergency.

In response to Commissioner McKinzie, Mr. Preus confirmed Ceres' dependence on subcontractors for loading and hauling of storm debris. Other services are handled directly by Ceres. Ceres has approximately 600 employees. Further questions and discussions ensued on municipal pricing differentials post-Hurricane Irma. Further details ensued on sand screening, its pricing, details relating to the scope of work done in Miami and the ability of Ceres to service the shoreline areas of both Miami and Fort Lauderdale.

In response to Vice Mayor Sorensen, Mr. Preus confirmed hiring subcontractors following an Emergency event, expounding on details. Comments and discussions ensued on the impact of pricing to attract local subcontractors. Mr. Preus confirmed Ceres is not under investigation by the State Attorney General, commenting on details.

In response to Vice Mayor Sorensen, Mr. Preus confirmed working with another contractor to perform services could be discussed.

In response to Commissioner Moraitis, Mr. Preus confirmed FEMA's reimbursement following Hurricane Irma was higher than their average price. Further discussion and comment ensued on the range of Ceres'

pricing for their 39 contracts in Florida.

In response to Vice Mayor Sorensen's inquiry, Mr. Perkins explained specific details about resources and commitments to other municipalities should there be a statewide Emergency event. Mr. Perkins confirmed the financial stability of AshBritt, discussing their ability to attract local contractors, expounding on their experience and capability. Ms. Perkins discussed AshBritt's reduction in bids for other municipality contracts and efforts to reduce their footprint in Florida. Further comments on pricing, scope of services and additional RFP details ensued. In response to Vice Mayor Sorensen's question, Mr. Moskowitz confirmed AshBritt is not being investigated by the State Attorney General. He confirmed there is a pending subpoena for records, the validity of which is being tested in court. Further comments, questions and discussion ensued on this topic. Mr. Moskowitz expounded on AshBritt's legal position.

In response to Vice Mayor Sorensen's question about working with another vendor to service the needs of the City, Ms. Perkins confirmed AshBritt would work with the City to negotiate working with an additional vendor.

Mayor Trantalis commented on his position about the safety of residents, stating this is the Commission's primary focus. He confirmed the two primary concerns are price and availability, expounding on this topic and noting the importance of subcontractors. Commissioner McKinzie concurred with Mayor Trantalis.

In response to Commissioner Moraitis, City Manager Feldman explained FEMA's recommendation that municipalities negotiate vendor contracts prior to an Emergency in accordance with municipal RFP procurement rules. Further comment ensued. Commissioner Moraitis explained her position, noting AshBritt's willingness to work with another vendor, the preference to work with a local contractor. She commented on concerns with Ceres' pricing.

Commissioner Glassman concurred with Mayor Trantalis' comments, reiterating his desire to utilize the talents of both companies. In response to Vice Mayor Sorensen, City Manager Feldman explained the duration of the contract award. It is a one-year contract with two renewal options. The City maintains the right to terminate for convenience. Further comment and discussion ensued. City Manager Feldman discussed the possibility of having more than one vendor, commenting on the logistical concerns and his preference for one vendor.

In response to Mayor Trantalis' question, Interim City Attorney Alain Boileau explained the procedure and standard involved, stating the procurement decision can be affirmed, reversed or modified.

Mayor Trantalis recognized Jodi Hart, Manager - Procurement and Contracts. In response to Mayor Trantalis, Ms. Hart explained Staff's award recommendation and the bid protest. She confirmed that should Ceres be found non-responsive, AshBritt would move up to the first position. Further comment and discussion ensued on the procurement process, pricing, reliability, criteria being met and Staff's interpretation of the RFP.

Interim City Attorney Boileau expounded on what is required to reach a finding contrary to Staff's procurement process. In response to Commissioner McKinzie, Ms. Hart concurred with Interim City Attorney Boileau's comments.

Mayor Trantalis recognized Mr. Moskowitz, who described another possible scenario. Under Section 5.3 of the RFP, the protest could be denied, and the contract award could be changed to another vendor. City Manager Feldman confirmed this has been done in the past, expounding on the details. Mayor Trantalis noted the reasons this decision could not be deferred to a future Commission Meeting due to being in the middle of hurricane season. He commented on Ceres' pricing and their ability to perform. Further comments ensued.

On behalf of Ceres, Mr. Dix made rebuttal comments about Ceres' ability to perform, pricing and their technical proposal. Mayor Trantalis discussed his concern on Ceres' ability to perform should a crisis arise. Mr. Dix expounded on Ceres' state-wide work during Hurricane Irma.

Vice Mayor Sorensen requested City Manager Feldman make a recommendation. City Manager Feldman commented on delivery concerns, having prepositioned equipment and reliance on subcontractors. City Manager Feldman discussed concerns related to honoring contract pricing following Hurricane Irma, commenting that other municipalities' reimbursements to Ceres were more than contract pricing. This information was not made available to Staff during the procurement process. Further comment and discussion ensued.

In response to Vice Mayor Sorensen, Interim City Attorney Boileau reiterated the Commission's options to affirm, modify or deny the bid protest. Further comment and discussion ensued on the language to be used for making a motion. City Manager Feldman requested a short break to confer with Interim City Attorney Boileau on the proper language.

Mayor Trantalis recessed the meeting at 9:02 p.m.

Mayor Trantalis reconvened the meeting at 9:11 p.m.

Interim City Attorney Boileau recommended the Commission vote on the bid protest, discussing the options. In response to Mayor Trantalis, Interim City Attorney Boileau confirmed that under Code, there is no standard. Mayor Trantalis commented on the procedures and motions.

Commissioner McKinzie made a motion to Deny the Bid Protest and Affirm Findings of City Staff which was seconded by Commissioner Glassman.

Motion to Deny Protest and Affirm Findings of City Staff - APPROVED

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

Commissioner McKinzie made a motion to reconsider and approve AshBritt Environmental for the Debris Removal Contract Award and was seconded by Vice Mayor Sorensen.

APPROVED - Ashbritt Awarded Contract

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

M-5 [18-0879](#)

Motion Approving a Revocable License Agreement with Autonation, Inc. for the Construction of a Temporary Beach Statue

Mayor Trantalis gave a brief overview and assessment of circumstances relating to this item.

Mayor Trantalis recognized Stephanie Toothaker, Esq., on behalf of Auto Nation. Ms. Toothaker concurred with Mayor Trantalis' assessment of this topic, stating Autonation, Inc. has requested the construction of a temporary beach statue in the shape of a pink ribbon promoting Breast Cancer Awareness during the month of October at A1A and Las Olas Boulevard from Monday, September 24, 2018 to Monday, November 5, 2018. The design of the ribbon is the same as approved by Commission last year and is the preferred location.

Ms. Toothaker discussed meeting with the representative of Friday Night Sound Waves to coordinate the placement of the temporary beach statute. She expounded on those discussions, confirming that the placement of the statue will be east and as close to the wall as possible. Further comment and discussion ensued.

Mayor Trantalis recognized Ari Glassman, representative of Friday Night Sound Waves. Ms. Glassman confirmed a resolution has been reached on co-hosting both events, expounding on specific details. In response to Commissioner Glassman, Ms. Glassman provided details on the location of the Pink Ribbon beach statue and additional event details.

In response to Vice Mayor Sorensen, Ms. Glassman commented on modifications to the Pink Ribbon's event footprint. Ms. Toothaker confirmed her client is committed to the position of the Pink Ribbon statue as illustrated in the email sent to the Commission earlier today and shown on the overhead projector.

A copy of Ms. Toothaker's most recent Site Plan submission to the Commission is attached to these minutes.

Ms. Glassman discussed the restructuring of special events from the Parks and Recreation Department to Office of the City Manager. She commented about the need for communications and adjustments to proactively address these types of situations.

Mayor Trantalis recognized Toni Napalitano. Ms. Napalitano affirmed the success of Friday Night Sound Waves, stating it is one of the best City events and commenting on details.

Commissioner McKinzie made a motion to approve this item as amended as illustrated in the attached Site Plan and was seconded Commissioner Glassman.

APPROVED AS AMENDED - Per Submitted Site Plan

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

NEIGHBOR PRESENTATIONS

NP-1 [18-0943](#) Dennis Ulmer - Remembering September 11th, 2001

Dennis Ulmer gave a presentation on the significance and importance of remembering the events which occurred on September 11, 2001.

RECEIVED

NP-2 [18-0944](#) Jacquelyn Scott - Topics of Citizen Presentations

NOT PRESENT

NP-3 [18-0945](#) Beverly Garcia & Paul Werner - Alternatives to Plastic Straws in Fort Lauderdale

NOT PRESENT

NP-4 [18-0946](#) Eva Bazer and Hattie Brinson - Cost-of-Living Adjustment (COLA) for Retirees

Eva Bazer and Hattie Brinson discussed the need for Cost-of-Living Adjustment (COLA) for City retirees, requesting an adjustment to retiree pensions. Ms. Brinson spoke on specific details relating the General Employee Retirement System (GERS) fund and current retiree pensions. Mayor Trantalis requested City Manager Feldman schedule this topic for discussion at an upcoming Commission Conference Meeting. City Manager Feldman confirmed.

RECEIVED

RESOLUTIONS

R-1 [18-0928](#) Appointment of Board and Committee Members

City Clerk Jeffrey Modarelli confirmed one additional appointment to Cemetery Board of Trustees to be made at the September 25, 2018 Commission Regular Meeting:

- Fred Nesbitt (*Commissioner Moraitis*)

City Clerk Modarelli discussed the Business Improvement District (BID) appointment made annually each September, expounding on the details. Further comment and explanation ensued on BID representation. The BID appointees will appear on the R-1 Board and Committee Appointment Resolution at the September 25, 2018 Commission Regular Meeting.

City Clerk Modarelli read the Board and Committee appointments for tonight's R-1 Agenda item into the record.

A copy of Board and Committee appointments and respective terms are attached to these minutes.

Commissioner Glassman commented on neighbor feedback concerning recommendations for resident representation on the Downtown Development Authority (DDA), noting the residential component of the DDA has significantly increased.

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

ADOPTED

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

R-2 [18-0961](#)

Resolution Appointing Alain E. Boileau as City Attorney of the City of Fort Lauderdale, Effective September 4, 2018 and Authorizing Execution of an Employment Contract with Alain E. Boileau

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

ADOPTED

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

[18-0992](#)

WALK-ON - Motion Extending Meeting Through 11 P.M.

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

APPROVED

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

R-3 [18-0346](#)

Quasi-Judicial Resolution Approving Plat Known as "Progresso Commons", located at 947 North Andrews Avenue - Andrews Project Development, LLC. - Case No. PL17003

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

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized James Brady, Esq., on behalf of John Mar, LLC. Mr. Brady showed an aerial photo of the subject plat, confirming his client does not challenge the project or the City's ability to vacate roadways. He confirmed rights-of-way passage by owners of properties on vacated streets, confirming his letter and Memorandum of Law on this matter sent to each Commission member earlier today. Further

comment and discussion ensued on the location and details associated with vacating streets and rights of passage. Mr. Brady discussed the right-of-way along the alley-way from Sunrise Boulevard to 9th Street. He requested the Commission table items R-3, OSR-5, OSR-6 and OSR-7 to allow for discussions. Mr. Brady confirmed his client's position on access and property value loss. Further comment and discussion ensued. Mr. Brady commented on handling this as a business matter and achieving a compensable remedy. He provided a copy of his correspondence to the Commission and accompanying Memorandum of Law.

A copy of these documents is attached to these minutes.

Mayor Trantalis recognized Debbie Orshefsky, Esq., on behalf of the applicant. Ms. Orshefsky reviewed the outline of the plat discussing its history and noting she has not received Mr. Brady's referenced correspondence. She commented on the Commission's ability to address plat matters, confirming all standards have been met. Ms. Orshefsky discussed the applicant's efforts to work with surrounding property owners, noting requests from Mr. Brady's client.

There being no one else wishing to speak on this item, Commissioner McKinzie made a motion to close the public hearing, which was seconded by Vice Mayor Sorensen. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis. NAYS: None.

In response to Mayor Trantalis, City Attorney Alain Boileau expounded on the ongoing review of Mr. Brady's correspondence. Mr. Boileau said issues raised by Mr. Brady go beyond platting and vacating rights-of-way issues currently before the Commission.

Mayor Trantalis recognized Assistant City Attorney D'Wayne Spence. Mr. Spence confirmed property rights are adjudicated in the courts. The vacation is a quasi-judicial legislative decision based upon Code. It requires the Commission make a determination based upon certain criteria, a public's right to use the alley way. Should the Commission decide to vacate the easement, property owners need to address the matter in a court of law.

In response to Mayor Trantalis' question about liability to the City, Mr. Spence commented on court decisions relating to property owners losing the most convenient access to property is not considered to be damage. He noted that the current property owner does not use the proposed vacated rights-of-way, expounding on his legal opinion.

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

ADOPTED - Approving Plat

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

R-4 [18-0842](#)

Quasi-Judicial Resolution Approving Plat Known as "Chula Plat" Located at 1955 SW 30th Terrace - Chaz Desousa, Vanessa Tobin & 1955 Chula, LLC. - Case No. PL18001

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

Mayor Trantalis opened the public hearing.

In response to Mayor Trantalis, Micky Ulrich, Denny Land Surveyors and representing the property owners, confirmed the property location as 1955 SW 33rd Terrace.

There being no one else wishing to speak on this item, Vice Mayor Sorensen made a motion to close the public hearing, which was seconded by Commissioner Glassman. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis. NAYS: None.

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

ADOPTED - Approving Plat

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

R-5 [18-0960](#)

Resolution to Approve an Interlocal Agreement with Broward County for the Transportation System Surtax

City Manager Feldman commented on this item, outlining the City's position. Should this not be approved, the City would be excluded from any Transportation Surtax (Surtax) for calendar year 2019. He recommended the adoption of this item and working to effectuate changes should the Surtax pass on the November election.

Mayor Trantalis commented on the City's obligation to support the Surtax should this Resolution be adopted. He discussed details related to the portion of Surtax to be allocated to municipalities and allowable transportation projects.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. In response to Mr. King's question, Mayor Trantalis explained details about the portion of the Surtax allocated to Broward County municipalities and the City's obligations to support it. City Manager Feldman confirmed there has been no request for a financial contribution to advocate for the Surtax. Further comment and discussion ensued on the County utilizing the Surtax to address east-west traffic flow if approved.

Vice Mayor Sorensen introduced the Resolution which was read by title only.

ADOPTED

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

ORDINANCE FIRST READING

OFR-1 [18-0884](#)

Ordinance Repealing Schedule I (Supervisory, Professional, and Management employees - P.E.R.C. Exempt), Schedule I(g) (Pay Range Amounts), Schedule II (Non-Bargaining Unit Confidential Employees), Schedule II(g) (Pay Range Amounts), Schedule 10 (Community Redevelopment Agency (CRA) Employees), and 10(a) (Pay Range Amounts) of the Pay Plan of the City of Fort Lauderdale, Florida; Adopting a New Classification and Compensation Plan Including a Classification Table and Compensation Table; and Authorizing the City Manager upon the Recommendation of the Human Resources Director to Adjust Pay Grades Assigned to Classification Titles Subject to a Notice of Intent Provision Advising the City Commission

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle requested this item be continued, commenting on his reasoning and details of this Study.

Commissioner Glassman concurred with Mr. Chettle's recommendation, confirming the need for the Commission to first adopt a budget for Fiscal Year 2018-2019. He also noted the large amount of Study information in need of further review. In response to Commissioner Glassman, City Manager Feldman confirmed Staff tweaked structural aspects of the

Study, expounding on details.

Commissioner McKinzie concurred with Commissioner Glassman's comments. He commented on the cost of the Study and request for a formal Commission presentation. Commissioner McKinzie discussed the importance of stabilizing all employees.

Mayor Trantalis gave his comments, discussing upcoming budget challenges. He concurred with the recommendation to continue this item to allow for further study and Commissioner McKinzie's recommendation for a Commission presentation.

Commissioner McKinzie commented on Commission direction to City Manager Feldman regarding the budget. He also requested input from City Auditor John Herbst. Mayor Trantalis requested the Commission provide their questions regarding the Study to City Auditor Herbst. City Auditor Herbst confirmed his department will review the Study's assumptions, methodologies and recommended salary ranges.

Mayor Trantalis recognized Police Sergeant Michael Tucker. Sergeant Tucker inquired about the Study's impact on Police personnel and leadership. City Manager Feldman confirmed Police personnel and leadership are included in the Study, expounding on this topic. Sergeant Tucker commented on salary concerns for upper-level Police personnel. City Manager Feldman acknowledged this concern, expounding on issues related to collective bargaining. He confirmed these pay concerns would not change until modifications are made to the Pay Plan. Further comment and discussion ensued on the upcoming test for Police Majors.

On behalf of the Police Department and all City employees, Sergeant Tucker respectfully requested the Commission to move forward tonight on this item. Comments and discussion ensued.

In response to Vice Mayor Sorensen's question, City Manager Feldman stated this situation arose when the collective bargaining agreement was adjusted recently, referring to it as "compression" and commenting on other instances. Further comment and discussion ensued.

Police Chief Rick Maglione expounded on issues and concerns regarding Police personnel compensation, details relating to rank and the importance of incentivizing Police Department promotional opportunities. Further comment and discussion ensued on the need for additional time to allow for the Commission's thorough review of the Study. The timeline for a Commission decision was discussed.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King commented on his perspective as a taxpayer and the City's collective bargaining agreements.

Commissioner Moraitis commented on meetings with the Human Resources Staff and her willingness to move forward tonight on this item. Mayor Trantalis requested this item be put October 9, 2018 Commission Conference Meeting for discussion and the consultant's presentation. He requested this item be continued to the October 23, 2018 Commission Regular Meeting. Further comments and discussions ensued on passing this item on First Reading.

Commissioner McKinzie expounded on the need to address and resolve the pay equity issue "across the board" for all levels of employees.

Vice Mayor Sorensen made a motion to continue the First Reading of this Ordinance to the October 23, 2018 Commission Regular Meeting and having a detailed discussion at the October 9, 2018 Commission Conference Meeting. Should this item pass the First and Second Readings, pay increases would be retroactive to the first pay period in October 2018. The motion was seconded by Commissioner Moraitis.

CONTINUED to Regular Meeting of October 23, 2018 (also to be heard in Conference on October 9, 2018)

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

OFR-2 [18-0939](#)

Ordinance Revising Building, Fire and Other Fees for Services Related to Land Development and Permitting - Request Deferment to September 25, 2018

Commissioner Glassman made a motion to defer this Ordinance on the First Reading to September 25, 2018 and was seconded by Commissioner Moraitis.

DEFERRED ON FIRST READING to September 25, 2018

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

ORDINANCE SECOND READING

[18-0993](#)

WALK-ON - Motion to Extend Regular Meeting Through 11:30 P.M.

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

APPROVED

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

OSR-1 [18-0929](#)

Ordinance to Establish and Revise Procedures for Redressing Continuing, Repetitive, or Chronic Violations of the Code of Ordinances and Revising Civil Penalties

In response to Commissioner Glassman, City Manager Feldman explained this action is like receiving a ticket and could result in ongoing fines for continued violations. He expounded on the Special Magistrate appeal process for citation violations. City Manager Feldman confirmed previous Code Enforcement fines were accumulated daily.

Commissioner Glassman commented on ongoing fines. City Manager Feldman discussed the need for stricter enforcement on habitual Code violators. In response to Commissioner Glassman, City Manager Feldman confirmed Code personnel had requested this change.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King asked if this item applies only to property owners. City Manager Feldman confirmed Code applies to property issues. Further comments ensued.

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

ADOPTED ON SECOND READING

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

OSR-2 [18-0931](#)

Quasi-Judicial - Ordinance Vacating a Right-of-Way Identified as NE 2nd Street Located West of North Federal Highway - 195 Federal LLC. - Case No. V18001

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

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 Moraitis. Roll call showed: AYES:

Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis. NAYS: None.

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

ADOPTED ON SECOND READING

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

OSR-3 [18-0932](#)

Quasi-Judicial - Ordinance - Rezoning from General Business (B-2) to North West Regional Activity Center- Mixed Use East (NWRAC-MUe) District - Broward Partnership for the Homeless, Inc. - 920 NW 7th Avenue - Case No. Z18003

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

Mayor Trantalis opened the public hearing.

In response to Mayor Trantalis, Debbie Orshefsky, Esq., on behalf of the applicant, confirmed working with Staff on this item stating all outstanding concerns are expected to be resolved tomorrow.

There being no one else wishing to speak on this item, Commissioner McKinzie made a motion to close the public hearing, which was seconded by Vice Mayor Sorensen. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis. NAYS: None.

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

ADOPTED ON SECOND READING

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

OSR-4 [18-0933](#)

Ordinance Amending Ordinance Number C-97-21 to Modify the Boundary of Property Approved for Use as a Homeless Assistance Center - Broward Partnership for the Homeless, Inc - Case No. T18003

Vice Mayor Sorensen introduced this Ordinance for the Second Reading

which was read by title only.

ADOPTED ON SECOND READING

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

OSR-5 [18-0936](#)

Quasi-Judicial - Ordinance Vacating a Right-of-Way (Alley) Located Adjacent to and South of West Sunrise Boulevard between North Andrews Avenue and NW 1st Avenue - Andrews Project Development, LLC. - Case No. V18005

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

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 Vice Mayor Sorensen. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis. NAYS: None.

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

ADOPTED ON SECOND READING

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

OSR-6 [18-0937](#)

Quasi-Judicial - Ordinance Vacating a Right-of-Way (Public Street) Identified as NW 1st Avenue Adjacent to and South of West Sunrise Boulevard - Andrews Project Development, LLC. - Case No. V17004

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

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 Vice Mayor Sorensen. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis. NAYS: None.

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

ADOPTED ON SECOND READING

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

OSR-7 [18-0938](#)

Quasi-Judicial - Ordinance Vacating a Right-of-Way (Alley) Located Adjacent to and South of West Sunrise Boulevard between NW 1st Avenue and NW 2nd Avenue - Andrews Project Development, LLC. - Case No. V18004

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

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Ron Centamore, on behalf of the Progresso Village Civic Association. Mr. Centamore confirmed neighborhood support of this item.

There being no one else wishing to speak on this item, Commissioner Glassman made a motion to close the public hearing, which was seconded by Commissioner McKinzie. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis. NAYS: None.

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

ADOPTED ON SECOND READING

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

REQUEST FOR EXECUTIVE CLOSED DOOR SESSION


City Attorney Alain Boileau announced that on September 6, 2018

commencing at approximately 7:30 P.M., or as soon thereafter as it may be heard, the City Commission shall meet privately to discuss pending litigation, pursuant to Section 286.011(8), Florida Statutes, for the following case(s):

Fort Lauderdale Food Not Bombs, et al. vs. City of Fort Lauderdale
Case No.: 15-60185-CIV-ZLOCH

ADJOURNMENT

Mayor Trantalis adjourned the Commission Regular Meeting of September 4, 2018 at 11:12 p.m.



Dean J. Trantalis
Mayor

ATTEST:



Jeffrey A. Modarelli
City Clerk

EXHIBIT TO RESOLUTION 18-

CEMETERY SYSTEM BOARD OF TRUSTEES

Richard Kurtz (*Commissioner McKinzie*) is appointed to the Cemetery System Board of Trustees for a one year term beginning September 7, 2018 and ending September 6, 2019 or until his successor has been appointed.

DOWNTOWN DEVELOPMENT AUTHORITY

Charles Ladd (*Consensus*) is appointed to the Downtown Development Authority for a four year term beginning January 1, 2017 and ending December 31, 2020 or until his successor has been appointed.

PARKS, RECREATION AND BEACHES BOARD

Martha Steinkamp (*Commissioner Moraitis*) is appointed to the Parks, Recreation and Beaches Board for a one year term beginning September 4, 2018 and ending September 3, 2019 or until her successor has been appointed.

LAUDERTRAIL WORKING COMMITTEE

George Bishopric (*Commissioner Glassman*) is appointed to the LauderTrail Working Committee for a two year term beginning August 1, 2018 and ending July 31, 2020 or until his successor has been appointed.



CITY OF FORT LAUDERDALE

COMMUNITY
APPEARANCE
BOARD

WOW AWARD

Camilo Quintero

5651 Bayview Drive
Fort Lauderdale, FL 33308

Lake Estates Improvement Association
Commissioner Heather Moraitis, District 1



WOW AWARD WINNER













CITY OF FORT LAUDERDALE

COMMUNITY
APPEARANCE
BOARD

WOW AWARD



City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

[P] 904.247.6268

[P] 904.247.6276

www.jacksonvillebeach.org



Ceres Environmental Services, Inc.

M-4
Regular Meeting 9/4/2018
DEPARTMENT OF PUBLIC WORKS
Provided by Bryan Fike
of Ceres Environmental

August 23, 2018

David Preus
Senior Vice President
Disaster Recovery Division
Ceres Environmental Services, Inc.
6968 Professional Pkwy East
Sarasota, FL 34240

Dear Mr. Preus,

On behalf of the City of Jacksonville Beach, I would like to commend Ceres Environmental Services, Inc. and your subcontractor (Arbor Masters) on the debris management, recovery and response services put forth during the Hurricane Irma event.

The lives of many Florida residents were changed forever on September 10th 2017, when Hurricane Irma ripped through our state. The City of Jacksonville Beach, located on the Northeast Coast of Florida was one of the areas impacted by Hurricane Irma. The City authorized its Debris Contractor Ceres Environmental Services, Inc. at a cost of \$ 1,130,639.50 to remove, process and dispose of 68,076.93 cubic yards of vegetative and construction and demolition (C&D) debris.

Ceres Environmental Services, Inc. was on the ground within 72 hours. They exhibited great reliability and dedication during the entire process. Ceres strictly adhered to the established unit prices in the contract and FEMA debris removal guidelines to achieve the reimbursement rates for the City. Their team was organized and worked diligently to meet the City's needs.

For the reasons stated above, I highly recommend Ceres Environmental Services, Inc. as a disaster debris contractor.

Sincerely,

Ty Edwards, P.E.
Director of Public Works
City of Jacksonville Beach
1460A-Shetter Ave.
Jacksonville Beach, FL 32250



BOARD OF COMMISSIONERS
DOUGHERTY COUNTY
ALBANY, GEORGIA

COUNTY COMMISSION:

CHRISTOPHER S. COHILAS, CHAIRMAN
CLINTON JOHNSON, VICE CHAIR
GLORIA GAINES
JOHN HAYES
LAMAR HUDGINS
ANTHONY JONES
EWELL LYLE

COUNTY ADMINISTRATOR
RICHARD CROWDIS

David Preus
Senior Vice President
Disaster Recovery Division
Ceres Environmental Services, Inc.
6968 Professional Pkwy East
Sarasota FL 34240

Ref: Dougherty County Debris Removal

Dear Mr. Preus,

It is my pleasure to offer this letter of recommendation for Ceres Environmental to any area that is unfortunately affected by a natural disaster.

The lives of many Dougherty County residents were changed forever on January 22, 2017, when a tornado ripped through our community. Dougherty County, which is located in Southwest Georgia procured the services of Ceres Environmental to remove, process and dispose of approximately 950,000 cubic yards of debris for \$9.5 million.

Ceres Environmental was on the ground within 72 hours. They showed extreme reliability and dedication in the midst of chaos. They educated staff on federal requirements and strictly adhered to FEMA debris removal guidelines to achieve greater reimbursement rates for the Dougherty County. Organized and diligent, their team quickly adapted to meet our needs.

Ceres Environmental helped to organize and utilize local contractors, allowing local people to heal by doing something to help in their own backyards. After witnessing the success and partnership of the County and Ceres Environmental, we have elected to continue to use Ceres for debris cleanup for Private Property Debris Removal.

Ceres Environmental has my highest recommendation, and I am happy to furnish more details if you would like additional information.

Sincerely,

Michael McCoy
Interim County Administrator



"A City for All Ages"

PUBLIC WORKS DEPARTMENT

City of Port St. Lucie

Accredited Agency – American Public Works Association

To: David Preus, Ceres Senior Vice President, Disaster Recovery Division

From: Joe Mercurio – City of Port St Lucie Emergency Manager

Date: July 10, 2018

Re: PSL Debris Management _ Letter of Recommendation

The City of Port St Lucie Debris Management Team seeks to congratulate Ceres Environmental Services, Inc. on the highly successful operations in debris recovery in the aftermath of Hurricane Irma.

As the lore of Hurricane Irma passes into the record books, it was Ceres Environmental who served as the City of Port St Lucie Prime Debris Hauler Contractor to this devastating storm event. As well-known throughout Florida, the direct impact of Hurricane Irma played a significant role in the response and recovery efforts of the entire debris haul industry and how the logistical response was to be met. Ceres Environmental was instrumental in first response to initiate "First Push" to clear main roads throughout the City. A detailed analysis was presented for clean-up actions with an expected time-line that had to work with the given City Debris Management Plan.

The City of Port St Lucie was aggressive in time constraints to service the community and we worked well with Ceres to promote effective and efficient debris collections strategies to ensure safety, proper mobilization, and economic securities for the general population as well as the company. Their efforts were directly responsible to the collection of over 86,000 CY of vegetative material with billing receipts totaling over \$1.25 million. Ceres Environmental remained committed as well as loyal to the City as stronger incentives offered by affected communities lured other companies away from promised commitments. Ceres stood by Port St Lucie, and for that we are indebted.

As communities seek to incorporate the benefit of a defined and organized emergency debris haul contract, we would promote and recommend that Ceres Environmental be at the forefront of consideration. The company is committed to purpose, responsive to action, and sets the standard of industry excellence.

Respectfully,

Joe Mercurio

Project Manager, Emergency Management

City of Port St. Lucie

(772) 871-5175 - W

(772) 618-5093 - C

jmercurio@cityofpsl.com

121 S.W. Port St. Lucie Boulevard • Port St. Lucie, FL 34984-5099 • 772/871-5177 • 772/871-5100

Fax 772/871-5289

TDD Line • 772/344-4222

Ceres Environmental Services, Inc.



CITY OF WINTER PARK

401 Park Avenue South

Winter Park, Florida

32789-4386

June 21, 2018

David Preus
Senior Vice President
Disaster Recovery Division
Ceres Environmental Services, Inc.

Dear Mr. Preus,

It is my pleasure to offer this letter of recommendation for Ceres Environmental to any area that is unfortunately affected by a natural disaster.

The City of Winter Park experienced significant damage on September 11, 2017 when Hurricane Irma impacted most of the State of Florida. The City of Winter Park immediately went to work, hiring Ceres Environmental at a cost of \$880,653.53 to assist in removing in excess of 55,000 cubic yards of debris.

Ceres Environmental was on the ground within 72 hours. They showed extreme reliability and dedication in the midst of chaos. They educated staff on federal requirements and strictly adhered to FEMA debris removal guidelines to achieve greater reimbursement rates for the City. Organized and diligent, their team quickly learned our people, our systems and our area. Ceres Environmental helped to organize and utilize Florida contractors, allowing local people to heal by doing something to help in their own backyards. Ceres assistance allowed residents in Winter Park to return to normal after only two months. After witnessing the profound success and partnership of Winter Park and Ceres Environmental, Winter Park again, after formal solicitation, selected Ceres to assist should another storm arise anytime in the next five years.

Ceres Environmental has my highest recommendation, and I am happy to furnish more details if you would like additional information.

Sincerely,

Keri Martin
Debris Project Manager



David Preus
Senior Vice President
Disaster Recovery Division
Ceres Environmental Services, Inc.
6968 Professional Pkwy East
Sarasota, Florida 34240

June 18, 2018

Dear Mr. Preus,

I am writing this letter on behalf of the City of Sarasota to both thank you and your staff, along with offering this letter as a recommendation for Ceres Environmental to any agency that may need recovery assistance following a disaster.

On September 10th, the City of Sarasota was impacted by Hurricane Irma making its pass through our City as a Category 1 storm. Days prior to its impact, Ceres's staff were in constant communications with the City assessing our potential needs based on at that time, prior to landfall, was expected to be a Category 3 to 4 storm. As this was the first time we needed to activate a contract in over 15 years, your staff showed extreme reliability and professionalism in working with myself and other emergency management staff of the City both prior to and immediately following its impact on us.

Ceres met its contractual obligations to be on site within 72 hours to remove, process and dispose of approximately 60,000 cubic yards of debris. The staff's extensive knowledge of the public assistance program and strict adherence to FEMA's debris removal guidelines is expected to result in complete reimbursement of approximately \$950,000 in expenditures.

In recognition of Ceres performance and its ongoing commitment to our area, Ceres again was awarded a three-year contract as the top ranked proposer to our recent request for proposals for recovery services. We look forward to our continued relationship.

Sincerely,

Doug Jeffcoat
Public Works Director
City of Sarasota
Douglas.Jeffcoat@Sarasotafl.gov

1761 12th Street Sarasota, Florida 34236



David Preus
Senior Vice President
Disaster Recovery Division
Ceres Environmental Services, Inc.
6968 Professional Pkwy East
Sarasota FL 34240

Dear Mr. Preus,

It is my pleasure to offer this letter of recommendation for Ceres Environmental to any area that is unfortunately affected by a natural disaster.

The lives of many Florida residents were changed forever on September 10th 2017, when Hurricane Irma ripped through our state. The City of Palm Bay, located on the East Coast of Florida was one of the areas affected by Hurricane Irma. The City's leadership team immediately went to work, hiring Ceres Environmental at an approximate cost of \$2 Million +/- to remove, process and dispose of approximately 110,000 +/- cubic yards of debris.

Ceres Environmental was on the ground within 72 hours. They showed extreme reliability and dedication in the midst of chaos. They educated staff on federal requirements and strictly adhered to FEMA debris removal guidelines to achieve greater reimbursement rates for the City. Organized and diligent, their team quickly adapted to meet the City's needs.

After witnessing the success and partnership of the City of Palm Bay and Ceres Environmental Services Inc, the City went ahead and renewed their contract with Ceres for another year.

Ceres Environmental Services Inc has my highest recommendation, and I am happy to furnish more details if you would like additional information.

Sincerely,

Barney Weiss
Asst. Public Works Director
City of Palm Bay





Solid Waste Management
2525 NW 62nd Street • Suite 5100
Miami, Florida 33147
T 305-514-6666

111 NW 1st Street • Suite 1610
Miami, Florida 33128
T 305-514-6666

miamidade.gov

November 3, 2017

Mr. Jamie Triplett
Area Manager
Ceres Environmental
3825 85th Avenue North
Brooklyn Park, MN 55443

Dear Mr. Triplett:

On behalf of the Miami-Dade County Department of Solid Waste Management, I would like to thank Ceres Environmental for your participation in the Hurricane Irma debris removal effort as one of six prime contractors. The quality and quantity of work performed by Ceres Environmental during this emergency response has met our expectations. Further, your firm's responsiveness and focus on customer service have been very helpful to the Department.

Again, thank you for your service to Miami-Dade County.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Mauriello".

Paul Mauriello
Deputy Director for Operations
Miami-Dade County
Department of Solid Waste Management



BEAUFORT COUNTY PUBLIC WORKS
Solid Waste and Recycling
120 Shanklin Road
Beaufort, South Carolina 29906
Voice (843) 255-2800 Facsimile (843) 255-9435

Mr. David Preus
Ceres Environmental Services Inc.

Dear Mr. Preus:

I am writing to express my appreciation for the performance of the entire team from Ceres in the debris operations for Hurricane Matthew. As our debris removal firm the level of support and professional performance provided has been exceptional in all regards. My direct point of contact with your firm was Project manager Mike Beevers. Mike supported the County in an outstanding manner and his counsel was invaluable throughout this operation. He is a professional in all respects and helped to establish a high standard for compliance. On a personal level, Mike was extremely responsive to answer any questions and provide the assistance I required. As the Debris Manager I am not exaggerating when I state that without his diligence, knowledge, and ability to gain the cooperation within the team we would not have been as effective. Mike is a "machine". As a team we moved 72% of all ROW debris into the DMS sites in the first 90 days of operation; over 90% of hangers and leaners were addressed in the same period. FEMA and SCEMD officials remarked that "Beaufort County had their operation together". Mike played a huge part in making that happen. If I ever had to do this again I would want Mike as my Project Manager.

Providing Karl Dix to assist with the process allowed the County to get a jump on a difficult task. Without his vital help we would have been overwhelmed with obtaining PPDR approval from FEMA and removing debris from 83 individual private communities. Karl provided essential high level technical support and coordination for the debris removal operation. He is a treasure trove of knowledge and expertise that worked seamlessly with the entire County staff. Ralph Sosabe is the most effective problem solver I have ever worked with. His professionalism, personality and ability to communicate with our citizens kept things moving smoothly. Ralph handled the most difficult situations with ease which I sincerely appreciated. His ability "To Make the Noise Stop" was nothing short of incredible.

Bottom line, Ceres did an exceptional job and I am thankful for each member of your team. You exceeded expectations in every area and continue to provide us with excellent customer service. I am forwarding a copy of this letter to our Administration and Purchasing Department for future reference.

Regards

JAMES S. MINOR, JR
SOLID WASTE / DEBRIS MANAGER



LETTER OF RECOMMENDATION

February 9, 2015

To Whom It May Concern:

As the Debris Management Services Contract Manager, please accept this letter as my official recommendation for CERES Environmental Services, Inc.

Columbia County has maintained a pre-event debris management contract with CERES since 2008 and activated the contract when Ice Storm Pax deposited one inch of ice on our trees/vegetation and overhead utilities in February 2014. CERES immediately responded, mobilized their workforce and started the task of removing over 535,000 cubic yards of debris from our right of ways.

CERES was professional in every aspect of this operation, from removing the debris to transporting it to final destinations. During the debris removal operations, CERES provided me with a "zone map" of the county and provided daily information so that I could let our citizens know when they should have their debris out on the public right of way for pick up. They cleaned the areas following the pick-ups, which made our citizens very happy.

Additionally, CERES assisted us with FEMA documentation all along the way to assure that we received the maximum amount of State and Federal reimbursement possible, resulting in a 92% cost recovery for our County.

In summary, I can attest to the fact that CERES has years of experience – and from the first day to the last day of our project – they performed their work in an admirable and cooperative manner. They did everything expected – and even exceeded our expectations in getting our community back to normal as quickly as possible.

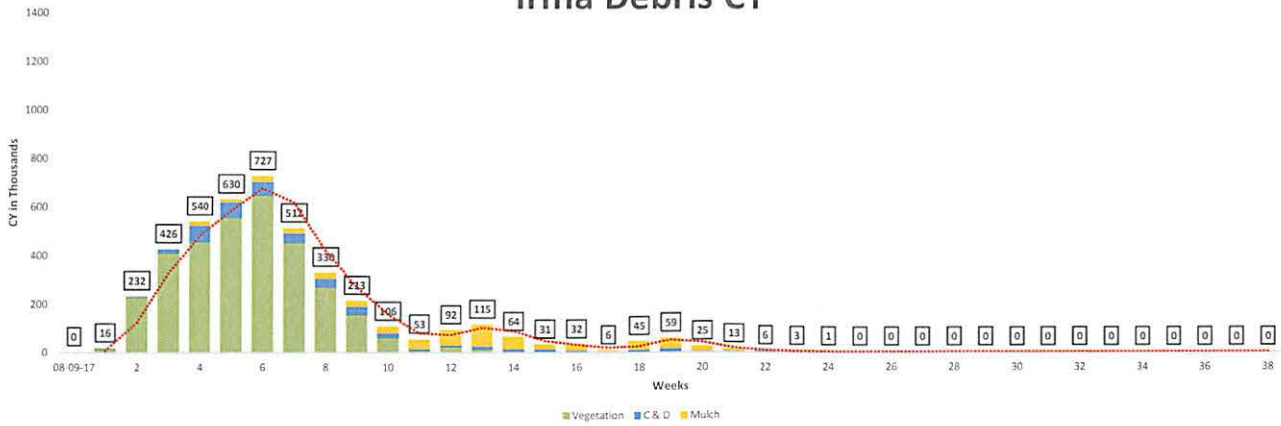
Please feel free to contact me if you have any questions or need more information in this regard.

Sincerely,

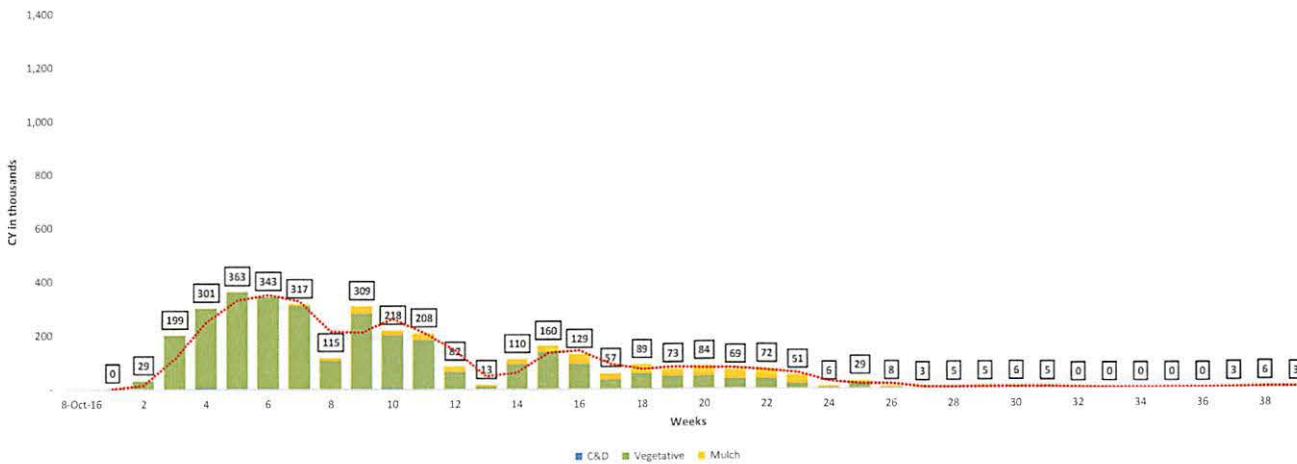
Pamela P. Tucker
Director

2018 Storm Performance Report

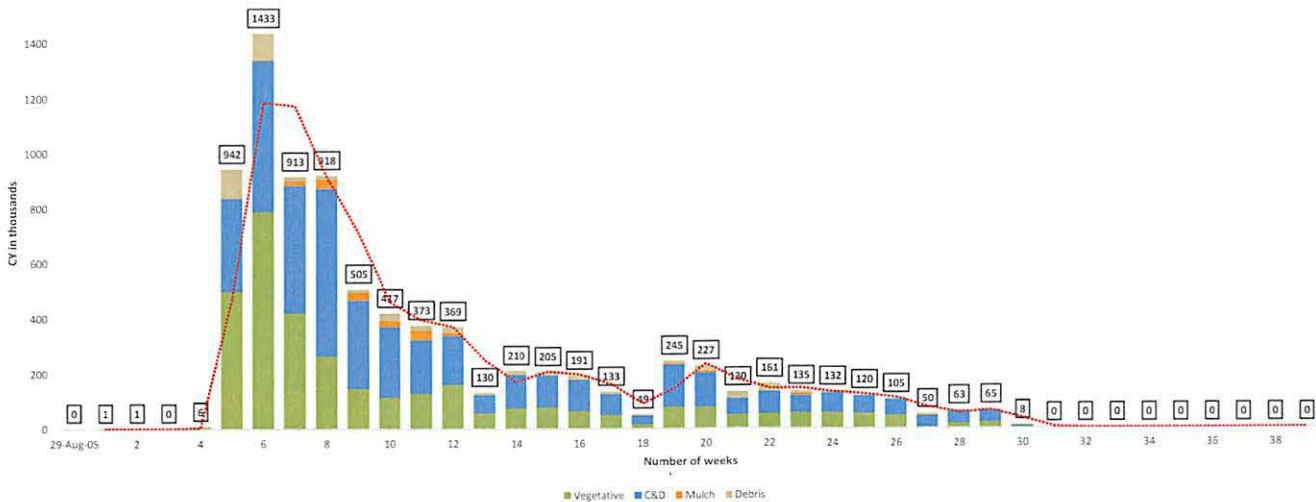
Irma Debris CY



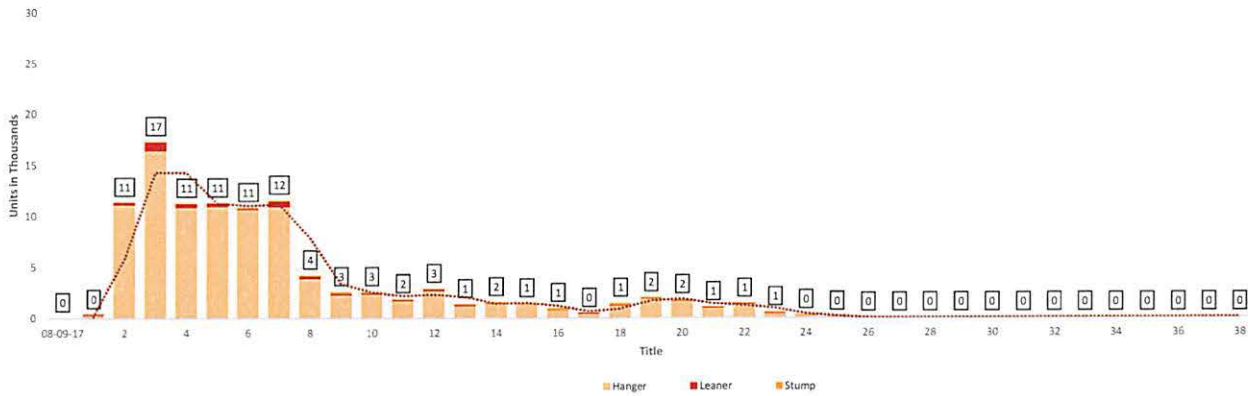
Matthew Debris CY



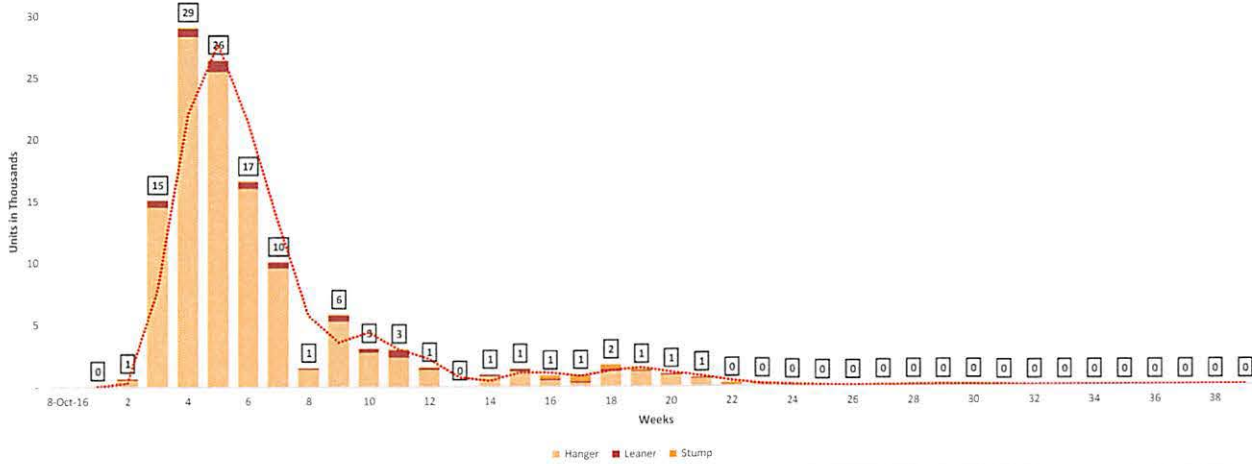
Katrina Debris CY



Irma Trees/Limbs



Matthew Trees/Limbs



PERFORMANCE EVALUATION (CONSTRUCTION)		1. CONTRACT NUMBER W 912P805D0024	
INCOMPLETE-RATED		2. CEC NUMBER 060619285	
IMPORTANT: Be sure to complete Part III - Evaluation of Performance Elements on reverse.			
PART I - GENERAL CONTRACT DATA			
3. TYPE OF EVALUATION (X one) <input type="checkbox"/> INTERIM (List percentage <u>100</u> %) <input checked="" type="checkbox"/> FINAL <input type="checkbox"/> AMENDED		4. TERMINATED FOR DEFAULT <input type="checkbox"/>	
6. CONTRACTOR (Name, Address, and ZIP Code) CERES ENVIRONMENTAL SERVICES, INC 3825 85TH AVENUE STE B MINNEAPOLIS MN 554432059 USA NAICS Code: 562910		6.a. PROCUREMENT METHOD (X one) <input type="checkbox"/> SEALED BID <input checked="" type="checkbox"/> NEGOTIATED	
		b. TYPE OF CONTRACT (X one) <input checked="" type="checkbox"/> FIRM FIXED PRICE <input type="checkbox"/> COST REIMBURSEMENT	
		<input type="checkbox"/> OTHER (Specify)	
7. DESCRIPTION AND LOCATION OF WORK DEBRIS REMOVAL, SITE MANAGEMENT AND DEBRIS REDUCTION, HURRICANE KATRINA			
8. TYPE AND PERCENT OF SUBCONTRACTING Total SB 73.5% , Total SDB 10.6% , Total WOSB 11% , Total Hubz 3.2% , Total SDV 3%			
9. FISCAL DATA	a. AMOUNT OF BASIC CONTRACT \$1,000,000.000	b. TOTAL AMOUNT OF MODIFICATIONS	c. LIQUIDATED DAMAGES ASSESSED
			d. NET AMOUNT PAID CONTRACTOR \$440,935,314
10. SIGNIFICANT DATES	a. DATE OF AWARD 09/15/2005	b. ORIGINAL CONTRACT COMPLETION DATE 09/30/2007	c. REVISED CONTRACT COMPLETION DATE
			d. DATE WORK ACCEPTED 09/30/2007
PART II - PERFORMANCE EVALUATION OF CONTRACTOR			
11. OVERALL RATING (X appropriate block)			
<input checked="" type="checkbox"/> OUTSTANDING <input type="checkbox"/> ABOVE AVERAGE <input type="checkbox"/> SATISFACTORY <input type="checkbox"/> MARGINAL <input type="checkbox"/> UNSATISFACTORY (Explain in Item 20 on reverse)			
12. EVALUATED BY			
a. ORGANIZATION (Name and Address (Include ZIP Code)) CECT-M VM		b. TELEPHONE NUMBER (Include Area Code) 901-544-3037	
c. NAME AND TITLE RICHARD W. SDOM CHIEF HURRICANE BRANCH		d. SIGNATURE	
		e. DATE 10/06/2008	
13. EVALUATION REVIEWED BY			
a. ORGANIZATION (Name and Address (Include ZIP Code))		b. TELEPHONE NUMBER (Include Area Code)	
c. NAME AND TITLE		d. SIGNATURE	
		e. DATE	
14. AGENCY USE (Distribution, etc.)			

Official Evaluations by City Evaluation Team

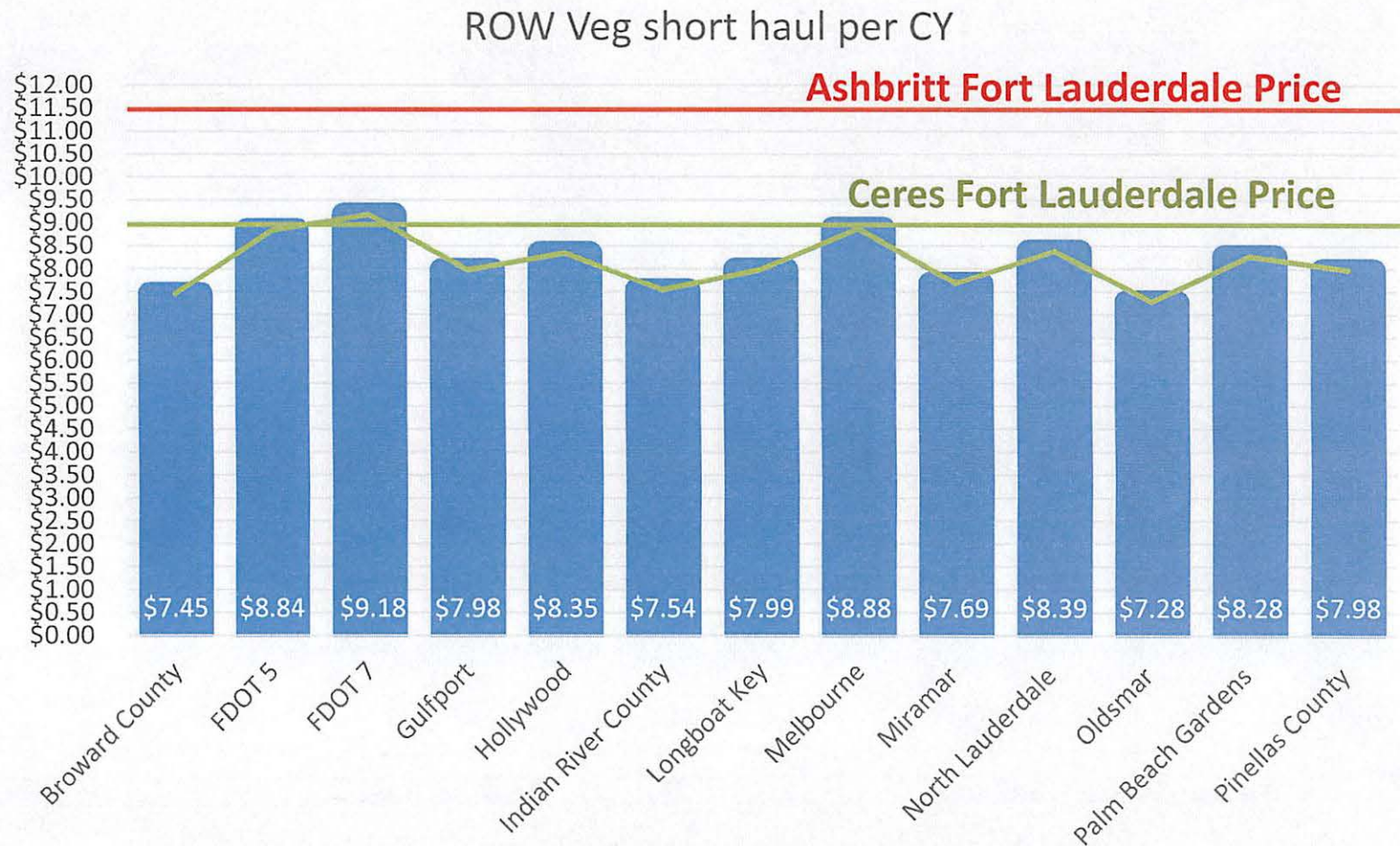
1

Ranking after each City of Fort Lauderdale Evaluation Committee Meeting

	Meetings 1 & 2		Meeting 3		Meeting 4	
	Rank	Points	Rank	Points	Rank	Points
Ceres Technical Score	1	1.56	1	0.98	1	0.87
Ceres Pricing Score	1	0.40	1	0.32	1	0.34
Ceres Total Score	1	1.96	1	1.30	1	1.31
Ashbritt Technical Score	3	1.77	2	1.22	2	1.21
Ashbritt Pricing Score	5	1.48	3	0.78	3	0.88
Ashbritt Total Score	3	3.25	2	2.00	2	2.09

Vegetative Debris Removal Pricing

2



Ceres' Fort Lauderdale pricing is in the high range of our price in neighboring communities ...

Proven. Responsive. *Ready.*



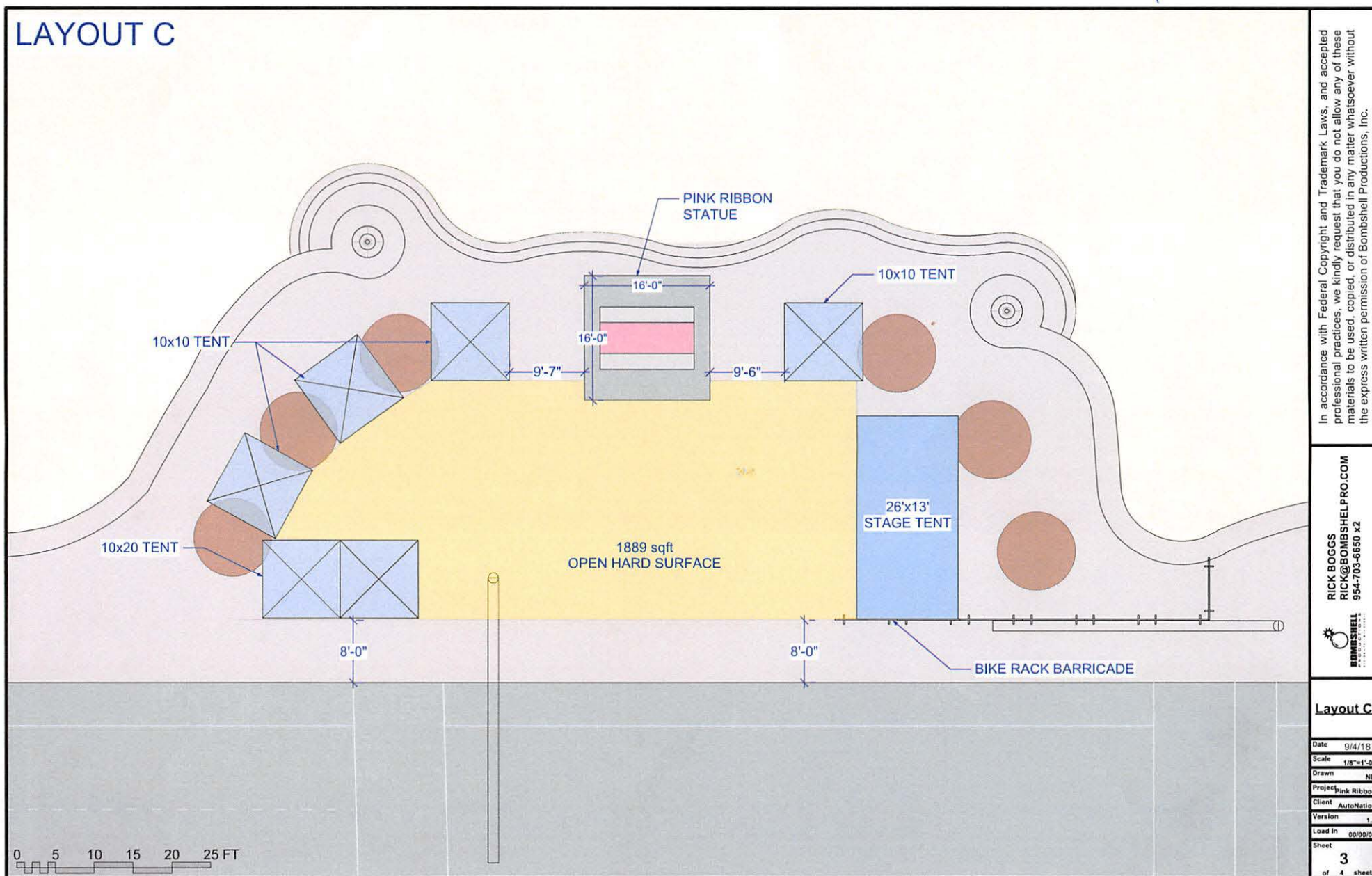
Summary

- Ceres was ranked number 1 technically by all evaluators after each of 4 committee meetings
- Ceres pricing is fair and reasonable
- Evaluation Committee followed the criteria set forth in the RFP
- Florida Code of Ordinances: “A written protest may not challenge the relative weight of evaluation criteria or a formula for assigning points.”
- Prices are in essence fixed at the proposed rates – Ceres stands by its proposed pricing and is the best choice for award in accordance with the published criteria

Ceres ranked #1 for Technical and Pricing

9/4/2018 M-5
Regular Meeting
Provided by Stephanie Toothaker

LAYOUT C



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RICK BOGGS
RICK@BOMBHELLPRO.COM
954-703-6650 x2



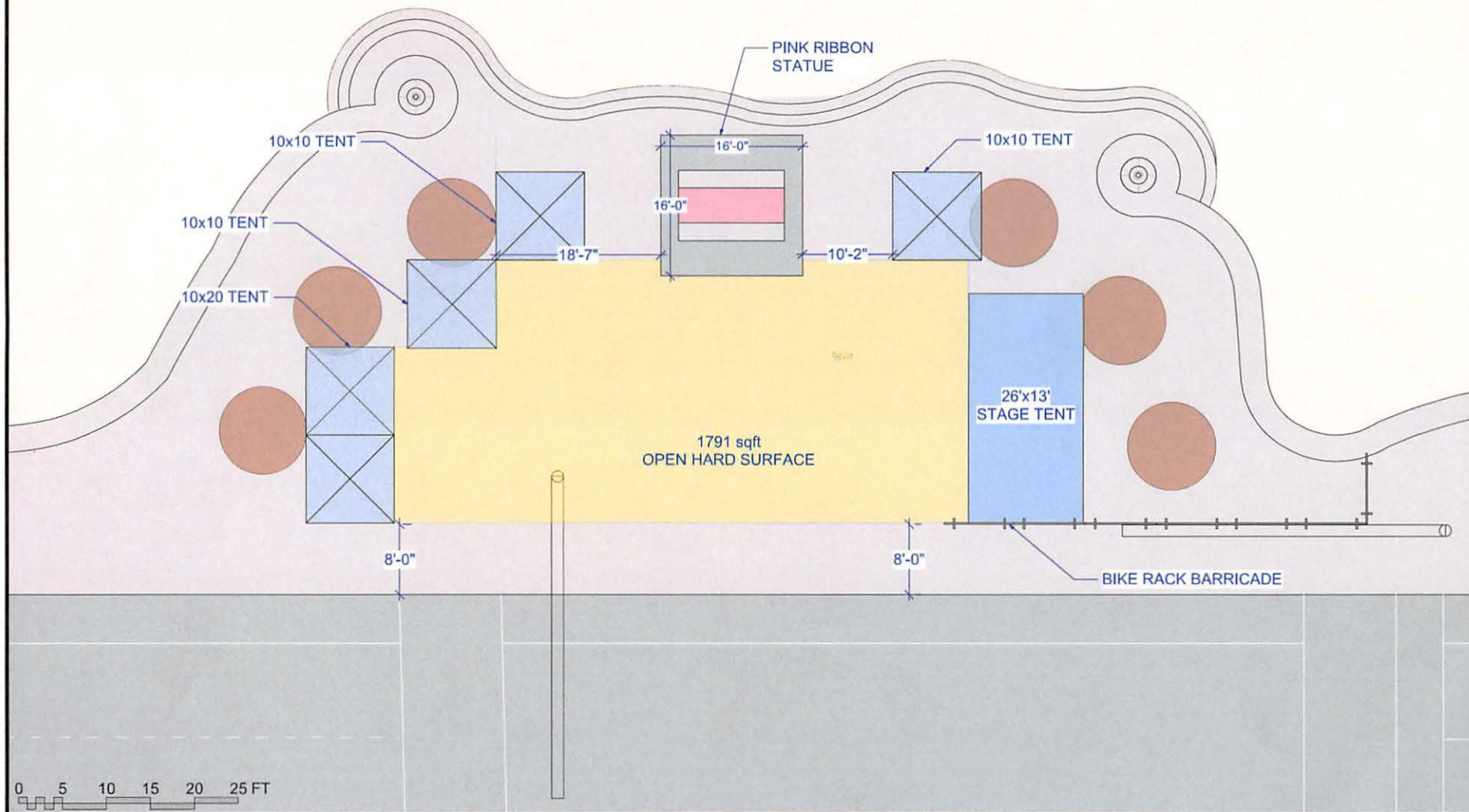
Layout C

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Drawn: ND
Project: Pink Ribbon
Client: AutoNation
Version: 1.0
Load In: 09/09/18
Sheet:

3

of 4 sheets

LAYOUT B



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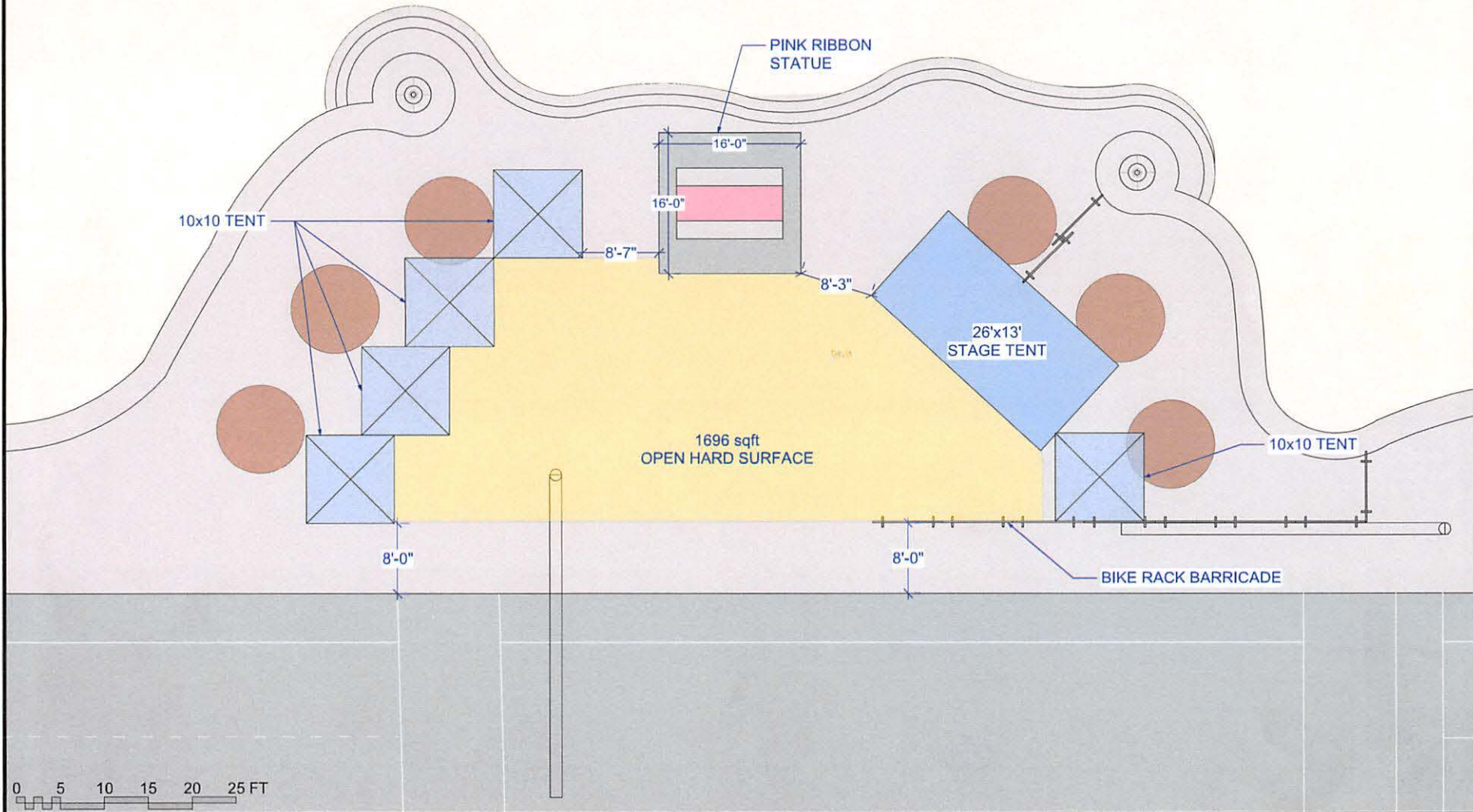
RICK BOGGS
RICK@BOMBHELLPRO.COM
954-703-6650 x2



Layout B

Date	9/4/18
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Client	AutoNation
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LAYOUT A



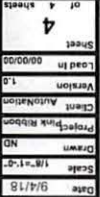
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Layout A

Date	9/4/18
Scale	1/8"=1'-0"
Drawn	ND
Project	Pink Ribbon
Client	AutoNation
Version	1.0
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Sheet	1
	of 4 sheets



BOMB SHELL
PROFESSIONAL
1111 EAST 17TH AVENUE
DENVER, CO 80202



RICK BOGGS
RICK@BOMBHELLPRO.COM
954-703-6650 x2

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Regular Meeting 9/4/2018 R-3
Provided by James Brady

SAUL EWING
ARNSTEIN
& LEHR LLP

James C. Brady

Phone: 954.713.7618

jbrady@arnstein.com

www.saul.com

September 4, 2018

VIA ELECTRONIC MAIL

Mayor Dean J. Trantalis
City of Fort Lauderdale
100 North Andrews Avenue
Fort Lauderdale, FL 33301-1016
dtrantalis@fortlauderdale.gov

Re: September 4, 2018, Agenda Items CAM# 18-0346, CAM#18-0936, CAM#18-0937 and CAM#18-0938

Dear Mayor Trantalis:

I represent John Mar III, LLC ("John Mar") owner of the parcels having respective civil street addresses of 901 N. Andrews Avenue, 900 N.W. 1st Avenue and 927 N. Andrews Avenue. Each of these properties is effected by the proposed plat of neighboring lands and vacations of portions of the alley to the east of N.W. 1st Avenue and west of N. Andrews Avenue (CAM# 18-0936), N.W. 1st Avenue (CAM# 18-0937) and the alley east of N.W. 2nd Avenue and west of N.W. 1st Avenue (CAM# 18-0938). John Mar does not criticize the nature of the proposed development and does not challenge the City's power to plat the neighboring lands or to vacate the roadways, subject to adherence to proper procedures.

On the other hand, John Mar questions the discretion in the exercise of such power and contends that, absent John Mar's consent, the City cannot cut off John Mar's post-platting or post-vacation, vestigial right-of-passage over the right-of-ways in question, both the dedicated Avenue between and the dedicated Alleys within Blocks 209 and 210.

Indeed, the Courts have dealt, at length, with similar cases, and I favor each of you and the City Attorney with the following analysis:

Right of Access a Property Right

It has long been settled that purchasers of property according to a plat showing streets thereon have the right to require that the streets be kept open as public

200 E. Las Olas Blvd. • Suite 1000 • Fort Lauderdale, FL 33301
Phone: (954) 713-7600 • Fax: (954) 713-7700

DELAWARE FLORIDA ILLINOIS MARYLAND MASSACHUSETTS NEW JERSEY NEW YORK PENNSYLVANIA WASHINGTON, DC
A DELAWARE LIMITED LIABILITY PARTNERSHIP

SAUL EWING ARNSTEIN & LEHR^{LLP}

Mayor Dean J. Trantalis

September 4, 2018

Page 2

streets. See *Florida East Coast Ry. Co. v. Worley*, 49 Fla. 297, 306 (Fla. S.Ct. 1905). In accord, *Smith v. Horn*, 70 Fla. 484 (Fla. S.Ct. 1915). In such instances, the “purchasers’ rights depend, not upon a true dedication, but upon a private easement implied from sales with reference to a plat showing streets, parks, or other areas subject to their use or enjoyment. Such easements are vested or perfected in a grantee immediately upon conveyance.” *Burnham v. Davis Island, Inc.*, 87 So.2d 97, 100 (Fla. S.Ct. 1956). See also *Reiger v. Anchor Post Productions, Inc.*, 210 So.2d 283 (Fla. 3d DCA 1968) and AGO Opinion 78-118.

The easement of an abutting owner carries with it the right to full enjoyment of the streets and when that right is impermissibly invaded, compensation must be paid. In the words of the Florida Supreme Court:

“[T]he abutting owner has special interests and rights in a public street, which are valuable and indispensable to the proper and beneficial enjoyment of his property. If the street is needed for any other purpose inconsistent with the ordinary uses of a public street, the rights and interests of the abutting owner must be obtained, with his consent, or by the exercise of the right of eminent domain, as in other cases of taking private property for public use.” [Emphasis added] *Worley*, supra. at 847.

Accordingly, the easement of an abutting owner to an adjoining street is a valuable property right which is “entitled to constitutional protection [and] extends to all parts of the street that enlarge the use and increase the value of the adjacent lot.” 21. *Fla. Jur 2d Eminent Domain* § 87. See also, *Boney v. State, Dept. of Transportation*, 250 So.2d 650 (Fla. 1st DCA 1971)(Easements of access are valuable property rights which, if taken by governmental action, requires the payment of compensation) and *Stubbs v. State of Florida, Dept. of Transportation*, 265 So.2d 425 (Fla. 1st DCA 1972)(Ease and facility of access constitute valuable property rights for which an owner is entitled to be adequately compensated). Even the taking of a private road for conversion to a public road requires compensation to be paid to the adjoining owners. See *City of Miami Beach v. Belle Isle Apartment Corp.*, 177 So.2d 884 (Fla. 3d DCA 1965). Similarly, in *Glessner v. Duval County*, 203 So.2d 330 (Fla. 1st DCA 1967), the Court recognized that the taking of portion of a private 15’ easement for ingress and egress, entitled the owner to compensation and damages resulting from the attendant loss of access.

Additionally, the abandonment, closing or vacation of a street can also give rise to a compensable claim for the taking of the property right of access. See *Pinellas County v. Austin*, 323 So.2d 6 (Fla. 2d DCA 1975), *Santa Rosa County v. Wicks*, 535 So.2d 349 (Fla. 1st DCA 1988), *Jordan v. St. Johns County*, 63 So.3d 835

SAUL EWING ARNSTEIN & LEHR^{LLP}

Mayor Dean J. Trantalis

September 4, 2018

Page 3

(Fla. 5th DCA 2011) and AGO Opinion 78-118. See also *Boney v. State, Dept. of Transportation*, 250 So.2d 650 (Fla. 1st DCA 1971). In *Austin*, the County vacated certain portions of platted streets which provided access to the owners' property, however, they were not totally deprived of access. In affirming the finding of inverse condemnation, the Court concluded that the owners suffered an impairment of their right of access "as to be different in kind from the public at large" because their remaining access was not "adequate to support heavy vehicular traffic, such as garbage trucks or fire trucks" and the alternative access was unimproved and would require improvement to be effective. Similarly, the Court in *Wicks* affirmed a judgment of inverse condemnation for the closure of portions of a road that had been dedicated to the public. Likewise, in the AGO Opinion 78-118, the Florida Attorney General advised that:

"if the general public is using the roads and streets in question (including public service vehicles such as garbage trucks, police, fire, or emergency vehicles), then the County *should not* close or vacate the roads or streets in question if such vacation would violate individual property rights." [Emphasis original] *Id.* at 4.

"[A] right of access to one's own property is a property right. Hence, an abutting fee owner may be entitled to compensation from a public body when it closes or vacates a public street for the consequent loss of such access on the theory that a property right has been taken without compensation." *Id.* at 5.

A glance at your combined backup and the aerial photograph I have attached hereto will reveal three fundamental negative consequences to the John Mar properties. First, as to the vacation of N.W. 1st Avenue, the future development of those Lots at 900 and 901, Lots 20 through 24 and 25 through 29, will be substantially constrained; second, the surviving configuration of N.W. 1st Avenue basically creates a service-driveway to the rear of the proposed development, with associated service vehicles and employee traffic, negatively impacting Lots 25 through 29 of Block 210, and third, 927, composed of Lots 8 through 10, will be left without future alley access and all access, ingress and egress, will be confined to N. Andrews Avenue, very near the increasingly busier intersection of W. Sunrise Boulevard and N. Andrews Avenue. These fundamental constraints will substantially diminish the value of John Mar's properties.

Unfortunately, John Mar is coming to the proceedings late. As far as we can tell, John Mar was given no notice of the previous Public Participation meetings. It appears that notice was limited to the HOA's and area advisory organization. I suggest that the Resolution and each of the Ordinances be tabled, with directions to staff to study these factors and ways to mitigate the negative consequences associated with vacating the right-of-ways in question. Moreover,

SAUL EWING ARNSTEIN & LEHR^{LLP}

Mayor Dean J. Trantalis

September 4, 2018

Page 4

staff could take that time, as well, to enhance its traffic study regarding traffic movement at N.W. 9th Street and N. Andrews Avenue.

John Mar stands ready and willing to undertake constructive discussions with the Developer toward finding equitable solutions, suitable to all parties. However, John Mar cannot ignore the potential loss of substantial, constitutionally-protected rights.

Very truly yours,

James C. Brady

JCB:ja

Enclosure

cc: Commissioner Steven Glassman
sglassman@fortlauderdale.gov
Commissioner Robert L. McKinzie
rmckinzie@fortlauderdale.gov
Commissioner Heather Moraitis
hmoraitis@fortlauderdale.gov
Commissioner Ben Sorensen
bsorensen@fortlauderdale.gov
Lee R. Feldman, City Manager :
lfeldman@fortlauderdale.gov
Alain E. Boileau, City Attorney
aboileau@fortlauderdale.gov

Google Maps



Imagery ©2018 DigitalGlobe, Sanborn, U.S. Geological Survey, Map data ©2018 Google 100 ft