

City of Fort Lauderdale

City Commission Regular Meeting

Agenda

Wednesday, April 19, 2017 - 6:00 PM

City Commission Chambers

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



FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
ROBERT L. McKINZIE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney

Invocation**Pledge of Allegiance****ROLL CALL****Approval of MINUTES and Agenda**

[17-0525](#) Minutes for March 21, 2017 City Commission Conference Meeting and March 21, 2017 City Commission Regular Meeting.

Attachments: [March 21, 2017 Conference Meeting](#)
[March 21, 2017 Regular Meeting](#)

PRESENTATIONS

- PRES-1** [17-0513](#) Proclamation declaring April 23, 2017 as Children's Day in the City of Fort Lauderdale, and Presentation of Certificates to the Winners of Greater Fort Lauderdale Sister Cities Inc. and Florida Turkish American Association's 2017 "If I were Mayor" Competition
- PRES-2** [17-0521](#) Proclamation declaring May 19, 2017 as Relay for Life Day in the City of Fort Lauderdale (at Carter Park)
- PRES-3** [17-0520](#) Proclamation declaring the Month of April, 2017 as Aviation Appreciation Month in the City of Fort Lauderdale
- PRES-4** [17-0519](#) Proclamation declaring the Month of April, 2017 as Walk like MADD & MADD DASH Month in the City of Fort Lauderdale
- PRES-5** [17-0518](#) Proclamation declaring April 29, 2017 as Arbor Day in the City of Fort Lauderdale

CONSENT AGENDA

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion on which members of the public will be given three (3) minutes to speak prior to its approval. An item may be removed from the Consent Agenda and considered separately if discussion is desired by any City Commissioner or charter officer.

CONSENT AGENDA PUBLIC COMMENT**CONSENT MOTION**

- CM-1** [17-0450](#) Motion to Approve Event Agreements: May 1st - A Day of Action and Climate Change March & Rally

Attachments: [Commission Agenda Memo #17-0450](#)
[Exhibit 1 - May 1st - A Day of Action Application](#)
[Exhibit 1a - May 1st - A Day of Action Site Plan](#)
[Exhibit 2 – Climate Change March & Rally Application](#)
[Exhibit 2a – Climate Change March & Rally Site Plan](#)

CM-2 [17-0451](#) Motion to Approve Event Agreements and Related Road Closings: Tarpon Bend Corn Hole Tournament, The Beachside Motorama Car/Truck/Bike Show, Cinco de Mayo on 2nd Street, and MMRF Team for Cures 5K Walk/Run

Attachments: [Commission Agenda Memo #17-0451](#)
[Exhibit 1 – Tarpon Bend Corn Hole Tournament Application](#)
[Exhibit 1a –Tarpon Bend Corn Hole Tournament Site Plan](#)
[Exhibit 2 – The Beachside Motorama Car/Truck/Bike Show Application](#)
[Exhibit 2a –The Beachside Motorama Car/Truck/Bike Show Site Plan](#)
[Exhibit 3 –Cinco de Mayo on SW 2nd Street Application](#)
[Exhibit 3a – Cinco de Mayo on SW 2nd Street Site Plan](#)
[Exhibit 4 - MMRF 5K Run Application](#)
[Exhibit 4a - MMRF 5K Site Plan](#)
[Exhibit 4b - MMRF 5K Race Route](#)

CM-3 [17-0386](#) Motion Declaring Lauderdale Air Show, scheduled for May 6 and May 7, 2017, as a Public Purpose Special Event and Creating a Temporary Exemption Relating to the Sale, Possession and Consumption of Alcohol at the Event

Attachments: [Commission Agenda Memo # 17-0386](#)
[Exhibit 1 - Section 5.3, Fort Lauderdale Code of Ordinances](#)
[Exhibit 2 - Section 8-85, Fort Lauderdale Code of Ordinances](#)

CM-4 [17-0530](#) Motion Authorizing Settlement of Breach of Contract Claim of the City of Fort Lauderdale against Performance Trading, Inc. and Summerhaven Properties, Inc., and Authorizing Receipt of Four (4) Amortized Settlement Payments, Bearing 18% Interest, Resulting in a Full Settlement Payment of \$41,986.66

Attachments: [Commission Agenda Memo - 17-0530](#)

CM-5 [17-0214](#) Motion to Select an Option for Distribution of Remaining Local Funds Collected for the Broward Metropolitan Planning Organization 2016 Surtax Education Effort

Attachments: [Commission Agenda Memo 17-0214](#)
[Exhibit 1 - MPO Executive Letter](#)

CM-6 [17-0215](#) Motion to Approve a Lease Amendment with PDKN Holdings, LLC

Attachments: [Commission Agenda Memo - 17-0215](#)

[Exhibit 1 - Resolution 15-26](#)

[Exhibit 2 - Executed Lease Agreement](#)

[Exhibit 3 - Amended Lease Agreement](#)

- CM-7** [17-0216](#) Motion to Approve Increase in Funds for the Law Firm of Lewis Longman Walker, Special Counsel to the City of Fort Lauderdale for the Purpose of Assisting the City in Responding to the Florida Department of Environmental Protection's (FDEP) Enforcement Efforts on Unauthorized Sewer Discharges: Repealing any and all Resolutions or Parts thereof in Conflict herewith; and Providing for an Effective Date

Attachments: [Commission Agenda Memo #17-0216](#)

[Exhibit 1 - CAM #16-1354](#)

- CM-8** [17-0338](#) Motion to Approve the Fiscal Year 2018 Community Investment Plan Prioritization

Attachments: [Commission Agenda Memo 17-0338](#)

[Exhibit 1 - FY 2018 Community Investment Plan Prioritization](#)

- CM-9** [17-0493](#) Motion to Reject All Bids for the Dania Farms Property

Attachments: [Commission Agenda Memo 17-0493.docx](#)

[Exhibit 1 - Resolution No. 16-214](#)

[Exhibit 2 - US Hospitality Acquisitions' Proposal](#)

[Exhibit 3 - D&B Ventures Proposal](#)

[Exhibit 4 - Sealed Bid Comparison](#)

- CM-10** [17-0086](#) Motion Approving a Revised and Restated Agreement with Lauderdale Air Show, LLC for the Lauderdale Air Show

Attachments: [Commission Agenda Memo #17-0086](#)

[Exhibit 1 - 2016 Site Plan](#)

[Exhibit 2 - 2017 Letter of Intent \(LOI\)](#)

[Exhibit 3 - 2017 Proposed Site Plan](#)

[Exhibit 4 - Revised Agreement](#)

- CM-11** [17-0420](#) Motion approving the submittal of a grant application for \$5,100 to the Florida Inland Navigation District - Small Scale Derelict Vessel Removal Program to remove sunken derelict vessel on the Intracoastal Waterway

Attachments: [Commission Agenda Memo #17-0420](#)

[Exhibit 1 - Grant Pre-Application Form](#)

- CM-12** [17-0448](#) Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement with Sports Endeavors, Inc. for a Volleyball Competition

Attachments: [Commission Agenda Memo #17-0448](#)

[Exhibit 1 - EVP Volleyball Pro-Am Application](#)

[Exhibit 2 – Site Plan](#)

CM-13 [17-0480](#) Motion to Approve Use of Law Enforcement Trust Funds - Purchase and Installation of D&R Blac-Rac Rifle Racks - Strobes-R-Us, Inc. - \$41,338.60

Attachments: [Commission Agenda Memo #17-0480](#)

[Exhibit 1 - Chief's Certification](#)

CM-14 [17-0365](#) Motion to Authorize the Execution of an Easement and Underground Distribution Facilities Installation Agreement to Place Underground Electric Service for Mills Pond Park with Florida Power & Light

Attachments: [Commission Agenda Memo - 17-0365.docx](#)

[Exhibit 1 - FPL Underground Distribution Facilities Installation Agreement](#)

[Exhibit 2 - CAM 16-1143](#)

[Exhibit 3 - Mills Pond FPL Quote for Radial Easement to Pad](#)

[Exhibit 4 – Easement for Business.pdf](#)

CM-15 [17-0461](#) Motion Authorizing Design Services for Fort Lauderdale Executive Airport Parking Lot - HDR Engineering, Inc. - \$113,919 Task Order

Attachments: [Commission Agenda Memo 17-0461](#)

[Exhibit 1 - Task Order Number 17](#)

CM-16 [17-0334](#) Motion to Approve an Assignment of Lease Agreement from GS EXCHANGE, LLC to BRE Silver MF Exchange FL LLC for Garage Parking and Airspace at City Hall Parking Garage

Attachments: [Commission Agenda Memo 17-0334](#)

[Exhibit 1 - Exchange Lofts LLC 031913 Lease Agreement](#)

[Exhibit 2 - Consent to Assignment of Lease Agreement](#)

CM-17 [17-0007](#) Motion Authorizing a Revocable License Agreement among the County, City of Fort Lauderdale, and Blackhawk Properties & Investments, LLC and an Agreement Ancillary to Revocable License Agreement for Improvements in the County Right of Way

Attachments: [Commission Agenda Memo # 17-0007](#)

[Exhibit 1 - County/City/Developer Revocable License Agreement](#)

[Exhibit 2 - Ancillary Agreement to Revocable License Agreement](#)

CM-18 [17-0532](#) Motion Designating the Interim Land Development Manager as City Engineer on a Temporary Basis

Attachments: [Commission Agenda Memo - 17-0532](#)

CONSENT RESOLUTION

- CR-1** [17-0529](#) Resolution appointing the law firm of Kaplan Kirsch & Rockwell, LLP as Special Counsel, to represent the City of Fort Lauderdale in connection with proceedings commenced before the U.S. Dept. of Transportation Federal Aviation Administration by Atlantic Beechcraft Services, Inc. and Southeast Turbines Corp., and Issues Pertaining to the Payment In Lieu of Taxes Paid by the Fort Lauderdale Executive Airport in Fiscal Years 2010-2016
Attachments: [Commission Agenda Memo # 17-0529](#)
 [Exhibit 1 - Resolution](#)
- CR-2** [17-0217](#) Resolution Extending the Date for Consideration of Lease Approval for the Las Olas Marina Site to May 16, 2017
Attachments: [Commission Agenda Memo 17-0217](#)
 [Exhibit 1 - Proposed Resolution extending date](#)
- CR-3** [17-0488](#) Resolution Approving an Amendment to the FY 2017 Not for Profit Grant Participation Agreement with Riverwalk Fort Lauderdale, Inc. - \$31,250
Attachments: [Commission Agenda Memo 17-0488](#)
 [Exhibit 1 - First Amendment to Riverwalk Participation Agreement](#)
 [Exhibit 2 - Resolution](#)
- CR-4** [17-0481](#) Resolution Establishing the 2017 Walk of Fame Induction Committee
Attachments: [Commission Agenda Memo #17-0481](#)
 [Exhibit 1 - Resolution](#)
- CR-5** [17-0494](#) Resolution Encouraging State to Allow Local Regulation of Single-Use Plastic Bags
Attachments: [Commission Agenda Memo 17-0494](#)
 [Exhibit 1 - Resolution](#)
- CR-6** [17-0343](#) Resolution Setting Vacation Rental Registration Fees and Waiving Inspection Requirements for Owner-Occupied Vacation Rentals
Attachments: [Commission Agenda Memo - 17-0343](#)
 [Exhibit 1 - Resolution](#)
- CR-7** [17-0395](#) Resolution Imposing Special Assessment Liens for Lot Clearing
Attachments: [Commission Agenda Memo - 17-0395](#)
 [Exhibit 1 – Lot Clearing and Cleaning Report](#)
 [Exhibit 2 - Resolution](#)
- CR-8** [17-0396](#) Resolution for Imposition of Special Assessment Liens for Costs Associated with the Securing of Multiple Properties

Attachments: [Commission Agenda Memo - 17-0396](#)

[Exhibit 1 – Board Up Report](#)

[Exhibit 2 - Resolution](#)

CR-9 [17-0192](#) Resolution Approving a Memorandum of Agreement with the Florida Department of Transportation for the Wave Streetcar Project

Attachments: [Commission Agenda Memo 17-0192](#)

[Exhibit 1 - Memorandum of Agreement](#)

[Exhibit 2 - Resolution](#)

CR-10 [17-0360](#) Resolution Approving the Conversion of SE 2nd Street between SE 8th Avenue to SE 2nd Court (at 10th Terrace) to a One-Way Street

Attachments: [Commission Agenda Memo 17-0360](#)

[Exhibit 1 - Site Location Map](#)

[Exhibit 2 - Resolution](#)

CR-11 [17-0372](#) Resolution Authorizing the Acceptance of Grant Funds and Execution of a Joint Participation Agreement with Florida Department of Transportation for Construction of Taxiway Foxtrot Pavement Rehabilitation at Fort Lauderdale Executive Airport

Attachments: [Commission Agenda Memo 17-0372](#)

[Exhibit 1 - Parcel Map](#)

[Exhibit 2 - Joint Participation Agreement](#)

[Exhibit 3 - Resolution](#)

CR-12 [17-0373](#) Resolution Authorizing the Acceptance of Grant Funds and Execution of a Joint Participation Agreement with Florida Department of Transportation for Construction of Western Perimeter Road at Fort Lauderdale Executive Airport

Attachments: [Commission Agenda Memo 17-0373](#)

[Exhibit 1 - Parcel Map](#)

[Exhibit 2 - Joint Participation Agreement](#)

[Exhibit 3 - Resolution](#)

PURCHASING AGENDA

PUR-1 [17-0346](#) Motion to Approve Purchase of Office Supplies via the Southeast Florida Governmental Purchasing Cooperative Contract - Office Depot, Inc. - \$1,241,677 (estimated three-year total)

Attachments: [17-0346 - Office Supplies with Office Depot_041217B](#)

[Exhibit 1 - Budgeted Funds](#)

[Exhibit 2 - Bid Tabulation and Evaluation Totals](#)

[Exhibit 3 - Contract Award](#)

[Exhibit 4 - Addendum](#)

Attachments: [Commission Agenda Memo 17-0476](#)

[Exhibit 1 - Solicitation](#)

[Exhibit 2 - Bid Tabulation](#)

PUR-10 [17-0501](#) Motion to Approve Contract for Beach Equipment Rental Concession - Boucher Brothers Beach Management Fort Lauderdale, LLC - \$2,450,000 (revenue)

Attachments: [Commission Agenda Memo 17-0501](#)

[Exhibit 1 - Contract](#)

[Exhibit 2 - Committee Final Tabulation](#)

[Exhibit 3 - Proposal Cost Tabulation](#)

[Exhibit 4A - Boucher Bros. Proposal - Part 1 of 2](#)

[Exhibit 4B - Boucher Bros. Proposal - Part 2 of 2](#)

[Exhibit 5 - Oceanside Proposal](#)

[Exhibit 6 - Solicitation](#)

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

M-1 [17-0511](#) Motion to Approve Acceptance of the Comprehensive Annual Financial Report and the Federal and State Single Audit for Fiscal Year Ended September 30, 2016 for Submittal to the Florida Auditor General

Attachments: [Commission Agenda Memo 17-0511](#)

[Exhibit 1 - CAFR](#)

[Exhibit 2 - Audit Results Presentation](#)

RESOLUTIONS

R-1 [17-0489](#) Appointment of Board and Committee Members

Attachments: [Resolution for Appointments 4.19.17](#)

R-2 [17-0248](#) Quasi-Judicial Resolution - City Commission Review and Approval of a Site Plan Level II Development Permit Including the Allocation of 32 Post 2003 Downtown Dwelling Units and 158 Downtown Dwelling Units, New River Yacht Club Phase III - The Related Group - 416 SW 1 Avenue - Case Number R16016

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

Attachments: [Commission Agenda Memo - 17-0248](#)

[Exhibit 1 - Site Plan](#)

[Exhibit 2 - Application, DRC Comments](#)

[Exhibit 3 - Resolution \(approval\)](#)

[Exhibit 4 - Resolution \(denial\)](#)

- R-3** [17-0464](#) Quasi-Judicial Resolution - City Commission Review and Approval of a Site Plan Level II Development Permit Including the Allocation 555 New 5,000 Dwelling Units, for Phase 2 of the Proposed Development - Riverfront - Las Olas Riverfront, L.P. - 300 SW 1 Avenue - Case Number R16049

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

Attachments: [Commission Agenda Memo - 17-0464](#)

[Exhibit 1 - Site Plan](#)

[Exhibit 2 - Application, DRC and DRT Comments](#)

[Exhibit 3 - Traffic Study](#)

[Exhibit 4 - Resolution \(Approval\)](#)

[Exhibit 5 - Resolution \(Denial\)](#)

PUBLIC HEARINGS

- PH-1** [17-0442](#) Motion to Approve Transfer of City Owned Properties in the Northwest Progresso Flagler Heights (NPF) Community Redevelopment Area to the Fort Lauderdale Community Redevelopment Agency (CRA)

Attachments: [Commission Agenda Memo 17-0442](#)

[Exhibit 1 - City Charter – Section 8.02](#)

[Exhibit 2 - Resolution 17-64](#)

[Exhibit 3 - Publication](#)

[Exhibit 4 - Resolution](#)

- PH-2** [17-0388](#) Public Hearing to Review Application for Certificate of Public Convenience and Necessity for Courtesy Vehicles for Ride Care Transportation LLC

Attachments: [Commission Agenda Memo #17-0388](#)

[Exhibit 1 - Certificate of Public Convenience and Necessity Application](#)

ORDINANCE SECOND READING

- OSR-1** [17-0496](#) Ordinance Amending Article X, Vacation Rentals, Chapter 15 of the Code of Ordinances of the City of Fort Lauderdale

Attachments: [Commission Agenda Memo - 17-0496](#)
[Exhibit 1 - Ordinance](#)

ADJOURNMENT