

City of Fort Lauderdale

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



Meeting Minutes - APPROVED

Tuesday, February 3, 2015

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

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

Meeting was called to order at 6:05 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Commissioner Robert L. McKinzie

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

Vote Roll Call Order for this Meeting

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

Invocation

Father Christopher T. Metropulos, St. Demetrios Church

Pledge of Allegiance

Led by Broward County Commissioner Lois Wexler

Approval of MINUTES and Agenda

No public comments were submitted by email for the February 3, 2015 regular meeting.

APPROVAL OF MINUTES for November 18, 2014 Conference and Regular Meetings and December 2, 2014 Economic Development Workshop

Motion made by Commissioner Roberts and seconded by Commissioner Trantalis to approve the noted minutes.

APPROVED

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

PRESENTATIONS

PRES-1 15-0179 PROCLAMATION DECLARING FEBRUARY 6, 2015 AS NATIONAL WEAR RED DAY IN THE CITY OF FORT LAUDERDALE

Removed from agenda.

PRES-2 15-0106 RECOGNITION OF FORT LAUDERDALE POLICE DEPARTMENT FOR THEIR OUTSTANDING ASSISTANCE DURING 2014 SEMINOLE HARD ROCK WINTERFEST BOAT PARADE

Lisa Scott-Founds, president and CEO of Winterfest Inc., recognized the Police Department and staff for

their outstanding assistance during the 2014 Seminole Hard Rock Winterfest Boat Parade.

CONSENT AGENDA

Mayor Seiler announced the procedure for consent items. The City Clerk announced revisions to CM-2, CM-8 and CM-12 that were made a part of the record.

Raymond Cox, no address provided, expressed concern that the Sunshine law was being violated by his time allotment being limited. He criticized the local police department and the local government. He advocated for the homeless.

Motion made by Commissioner Roberts and seconded by Commissioner McKinzie to approve items CM-1 through CM-6.

APPROVED

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

CONSENT MOTION

CM-1 15-0070 EVENT AGREEMENTS: Mardi Gras, Pearl Caribbean Festival, Friends and Family Cookout and Carnival Celebration

APPROVED

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

CM-2 15-0071 EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: Mount

Olivet Seventh - day Adventist Church Drugs & Alcohol Awareness Parade, 5K for a Better Day, 2nd Annual Fort Lauderdale 5K, Fort Lauderdale A1A Marathon/Half Marathon and Food in Motion: Flagler Village Green Market

APPROVED

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

CM-3 15-0084 RENEWAL OF CHRONIC HOMELESS HOUSING COLLABORATIVE GRANT AGREEMENT FOR FISCAL YEAR 2015 WITH BROWARD COUNTY - \$446,929

APPROVED

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

CM-4 15-0052 CONTRACT RENEWALS - April, May and June 2015

APPROVED

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

- CM-5 15-0123** ACCEPTANCE OF GRANT FROM FLORIDA DIVISION OF EMERGENCY MANAGEMENT UNDER COMMUNITY EMERGENCY RESPONSE TEAM (CERT) PROGRAM - \$5,476

APPROVED

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

- CM-6 15-0124** CITIZENS CORPS - ACCEPTANCE OF GRANT FROM FLORIDA DIVISION OF EMERGENCY MANAGEMENT - \$5,466

APPROVED

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

- CM-7 14-1512** STATE ROAD A1A FROM NE 21 STREET TO OAKLAND PARK BOULEVARD - acceptance of Florida Highway Beautification Council Grant - \$100,000 and Amendment Eight to Florida Department of Transportation Memorandum of Agreement and Joint Participation Agreement

Commissioner Trantalis said concerns arose about this item during his district meeting related to removal of wounded and clustered plant material. They were concerned that mature growth would be removed and questioned the necessity. Parks and Recreation Director Phil Thornburg said the Black Olive trees currently in place have outgrown their space. They are damaging the pavement. The area would be re-landscaped to match landscaping to the south and north. This is a transition to other improvements on State Road A1A. Commissioner Trantalis was concerned about giving up a canopy that has been created over decades. Palm trees are not really decorative. Thornburg opined that the existing trees are too large for the area. Staff reached out to Central Beach Alliance and condominiums in this area and made some presentations.

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

APPROVED

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

Motion made by Commissioner Roberts and seconded by Commissioner Trantalis to approve items CM-8 through CM-14 as recommended.

- CM-8 15-0011** WILLIAM GRANT & SONS AFTERNOON BEACH PARTY - Temporary Beach License and Outdoor Event Agreement with Koncept Events, LLC.

APPROVED

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

CM-9 15-0079 ELEVATE BEACH WORKOUT - Temporary Beach License and Outdoor Event Agreement with Elevate Training & Fitness LLC

APPROVED

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

CM-10 15-0026 LEASE AGREEMENT FOR OFFICE SPACE - February 1, 2015 - December 31, 2019 - \$8,091 monthly

APPROVED

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

CM-11 15-0097 MEMORANDUM OF UNDERSTANDING WITH SWIM FORT LAUDERDALE MASTERS BOOSTER CLUB, INC. TO SUPPORT U.S. MASTERS SWIM MEETS AT AQUATIC COMPLEX

APPROVED

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

CM-12 15-0094 FOURTH ADDENDUM TO REVOCABLE LICENSE WITH B-CYCLE, LLC TO ADD THREE STATIONS

APPROVED

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

CM-13 15-0107 CO-SPONSORSHIP OF FRIDA DIEGO KAHLO+RIVERA MEXICAN MODERN ART EXHIBIT WITH NOVA SOUTHEASTERN UNIVERSITY ART MUSEUM OF FORT LAUDERDALE AND PLACEMENT OF ASSOCIATED EVENT BANNER SIGNS

APPROVED

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

CM-14 14-1357 SUBRECIPIENT AGREEMENT WITH BROWARD METROPOLITAN PLANNING ORGANIZATION FOR DOWNTOWN MOBILITY HUB PROJECT

APPROVED

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

CONSENT RESOLUTION

Raymond Cox, no address provided, spoke generally about some of the items and criticized the local government.

CR-1 15-0010 CONSOLIDATED BUDGET AMENDMENT TO FISCAL YEAR 2015
BUDGET – APPROPRIATION

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

ADOPTED

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

CR-2 15-0170 AUTHORIZING CITY ATTORNEY TO APPEAL ORDER OF SPECIAL
MAGISTRATE - CASE 14090376 - non-permitted signs at 101 South
Fort Lauderdale Beach Boulevard

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

ADOPTED

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

WALK-ON HAROLD CHAMBERS V. B&L SERVICE INC. dba YELLOW CAB;
ATLANTIC CAB CORP., FANOL BILLY AND CITY OF FORT
LAUDERDALE; BROWARD COUNTY CIRCUIT COURT CASE NO.
43-4307 (12)

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, questioned settling of lawsuits. He expressed concerns about the police department and advocated for the homeless. He criticized the reunification program.

Charles King, 105 North Victoria Park Road, requested more information on this item. Mayor Seiler advised it involves an accident between a police car and a cab at an intersection. The case is pending in the 17th Judicial Circuit Court of Broward County. The settlement involves payment of \$159,990 due to injuries sustained by the cab passenger. There was a dashboard video available.

There was no one else wishing to speak.

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

APPROVED

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

PURCHASING AGENDA

Raymond Cox, no address provided, expressed concern for the expenses and concern that hackers would be able to compromise the City's computer system. He advocated for public restrooms.

Motion made by Commissioner Roberts and seconded by Commissioner Trantalis to approve all Purchasing items.

APPROVED

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

PUR-1 14-1145 PROPRIETARY - THREE-YEAR CONTRACT FOR MAINTENANCE AND SUPPORT OF PARKING SYSTEM SOFTWARE - \$94,231 (three-year total) - T2 Systems, Inc.

APPROVED

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

PUR-2 14-1636 TWO-YEAR CONTRACT FOR SPECIAL EVENT CLEAN-UP AND DAILY BEACH CLEANING SERVICES - \$172,089 (two-year total)

APPROVED

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

PUR-3 14-1645 ONE-YEAR CONTRACTS FOR BUILDING INSPECTION AND PLAN EXAMINATION SERVICES - C.A.P. Government, Inc. - primary, Calvin, Giordano & Associates, Inc. - secondary and Nova Engineering and Environmental, LLC - tertiary - \$846,000 (total)

APPROVED

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

PUR-4 15-0062 REJECT ALL PROPOSALS FOR SMART PARKING AND DATA APPLICATIONS

APPROVED

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

PUR-5 15-0063 SOUTH MIDDLE RIVER NEIGHBORHOOD IMPROVEMENT PROJECT - \$799,067.72 - Stanford & Sons Trucking Corporation d/b/a Stanford Construction Company

APPROVED

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

PUR-6 15-0076 SUPERVISORY AND MANAGEMENT TRAINING SERVICES - \$147,187.20 - Florida Atlantic University

APPROVED

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

MOTIONS

M-1 15-0069 CITY COMMISSION REQUEST FOR REVIEW OF LIEN - 2901 NE 33 Avenue, Unit 2-C

The City Manager advised that the recommended lien reduction from \$56,800 to \$16,450 represents about a 75 percent reduction. William Feinberg, the property owner, would like a 15 percent reduction which was offered in the City's amnesty program that expired before the property became compliant. The Commission requested additional review (call up).

William Feinberg, 2901 NE 33 Avenue, said he applied for the amnesty program in September 2013, but did not close on the property until after the program expired. He brought the property into compliance. He asked that the original agreement be honored and the lien be reduced to 15 percent.

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, expressed concerns about the process by which decisions are made.

There was no one else wishing to speak.

In response to Commissioner Roberts, Feinberg said his permit application was submitted before expiration of the amnesty program, but not issued beforehand because he had not yet received title to the property. In response to Vice-Mayor Rogers, Feinberg indicated that he applied to the program without knowing that the property needed to be in compliance. He did not know until after the closing that such a reduction was no longer available. He confirmed for Vice-Mayor Rogers that he spent about \$50,000 to bring the property into compliance.

Feinberg explained to Commissioner Trantalis that he applied for a permit as the contractor and not the property owner. Commissioner Trantalis pointed out it may have been an impossibility to secure a permit until he owned the property and would certainly not commit funds until such time. Commissioner Trantalis pointed out he spent a serious amount to upgrade the property. He felt it would be fair to grant the reduction. Vice-Mayor Rogers felt the issue has to do with the deadline because otherwise Feinberg is not asking for anything other than what was provided to other applicants. The City wants to encourage people to come forward and comply. The City Manager advised that one condition of the amnesty program was to achieve compliance by the amnesty date. It has to do with applying the same standards. Mayor Seiler said everyone who did not meet the deadline could now come forward and say they were denied the amnesty reduction. Because of the gray area, he is prepared to agree to split the difference

between the two amounts and approve 20 percent.

Feinberg stated that as a contractor, people do not want to apply for a permit for fear of the City not having any flexibility. The City Manager felt the City is flexible because the recommendation is a 75 percent reduction.

Motion made by Commissioner Trantalis and seconded by Vice Mayor Rogers to approve the item at \$12,450.

APPROVED

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

CITIZEN PRESENTATIONS

CIT-1 15-0146 ART SEITZ - Fort Lauderdale Beach, Bicycle Path Network, City

Art Seitz was not present.

CIT-2 15-0147 CARL JR. GRANT - Pre Non-Competitive Bidding

Carl Grant was not present.

CIT-3 15-0148 CHARLES KING - School Boundary Proposals

Charles King thanked the Commission for becoming involved in the matter of school boundaries. He provided a history concerning Victoria Park and the school system. Victoria Park students are included in Walker Elementary, which is F-rated, as well as Harbordale and Northside, which is D-rated.

Mayor Seiler explained that this is a School Board issue. The Commission already voted to support it, therefore he questioned speaking on it again. King went on to elaborate on how students are selected to attend Victoria Shuman Young and that there is not really any fairness.

CIT-4 15-0149 DENNIS ULMER - A Message of Support for the Men and Women in the Police Department who "Serve and Protect Us"

Dennis Ulmer read from a prepared statement, which is attached to these minutes.

CIT-5 15-0150 HOPE GARY - Healing the Racial Divide Conference

Hope Gary, CEO of Fort Lauderdale Community Center, said she has pleaded with Commissioner McKinzie to support a Healing the Racial Divide event for Black History Month. She noted the issues that each member of the Commission supports and information about the conference. She announced the Center's website.

RESOLUTIONS

R-1 15-0160 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE DEFERRING INDEFINITELY THE DE NOVO HEARING OF THE CROWN CASTLE NG EAST, INC. APPEAL FROM THE CITY ENGINEER'S DENIAL OF RIGHT-OF-WAY PERMITS FOR

THE INSTALLATION OF UTILITY POLES, GROUND MOUNTED CABINETS AND DISTRIBUTED ANTENNA SYSTEMS AND RESETTING OF THE HEARING UPON THIRTY DAYS ADVANCE WRITTEN NOTICE BY EITHER PARTY IN THE EVENT THE PERMITS, TOGETHER WITH CONDITIONS, ARE NOT ISSUED BEFOREHAND; PROVIDING FOR DISMISSAL OF THE APPEAL IN THE EVENT THE PERMITS, TOGETHER WITH CONDITIONS, ARE ISSUED PRIOR TO HEARING A RECONVENED DE NOVO APPEAL; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE

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

The City Manager advised that staff and the Applicant have reached a conceptual agreement on permit conditions.

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

The City Manager confirmed for Commissioner Trantalis that the Applicant is reserving their right for a de novo hearing at a date that would be set in the future should the permits not be issued. The proposed resolution will create an indefinite deferral of the de novo hearing.

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

Raymond Cox, no address provided, questioned how the moratorium would be affected. He expressed concern that the Sunshine law is being violated.

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

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

ADOPTED AS AMENDED (revised resolution provided to City Commission)

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

R-2 15-0162

NINETY-DAY EXTENSION OF TEMPORARY MORATORIUM ON INSTALLATION OF WIRELESS PERSONAL TELECOMMUNICATION TOWERS AND DISTRIBUTED ANTENNA SYSTEMS

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

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, raised questions concerning the City's handling of the moratorium.

There was no one else wishing to speak.

ADOPTED

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

R-3 15-0116 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS - vacancy information provided under Conference Item BD-2

The City Clerk announced the appointees/re-appointees who were the subjects of this resolution:

- Aviation Advisory Board Thomas Moody (Mayor Seiler)
Ed Kwoka (Commissioner Trantalis)
- Community Appearance Board David Bowles (Commissioner Trantalis)
Judy Czerenda (Commissioner Trantalis)
Paul Czerwonka (Commissioner Trantalis)
Kennon Blake Williams (Commissioner Trantalis)
Jiro Yates(Commissioner Trantalis)
- Economic Development Advisory Board Christopher Denison (Commissioner Roberts)
Ken Keechl (Commissioner Trantalis)
- Education Advisory Board Jennifer Kimmey (Commissioner Trantalis)
M. Elaine Wilson (Commissioner Trantalis)
- Marine Advisory Board Joseph Maus (Vice-Mayor Rogers)
- Sustainability Advisory Board Alena Alberani (Commissioner Trantalis)
Chad Scott (Commissioner Trantalis)

Raymond Cox, no address provided, questioned appointments being made and caring for the poor.

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

ADOPTED

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

PUBLIC HEARINGS

PH-1 15-0038 QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO COMMUNITY FACILITY - Broward Addiction Recovery Center - 325 SW 28th Street - Case Z14007

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

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

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

Director of Sustainable and Economic Development Jenni Morejon highlighted information in Commission Agenda Memorandum 15-0038.

Commissioner Roberts asked if there have been any changes since the Commission's last discussion. Anthony Fajardo, Zoning Administrator, advised that parking was to be pushed from the west side to the east. The parking has been removed and replaced with landscaping.

In response to Vice-Mayor Rogers, Fajardo advised that area residents are notified of Development Review Committee meetings and conditional use applications; however, he suggested the County respond. The City Manager advised on February 17 there will be an item as to whether the Commission wishes to review the site plan (call up).

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

Cliff Iacino, president of Edgewood Civic Association, noted that Edgewood has been embroiled on this issue for 17 years. The first 15 ½ years had to do with the neighborhood's desire to see a church, school and outreach center would remain on the block. The City made efforts for the County not to demolish the church but it occurred nevertheless. When looking at this site plan and property owned by the County on 4 Avenue, the square footage is essentially the church. It was a community loss. Because it has been decided that BARC will be situated on this site, it is his job to make this work. Never once did the City or County make a presentation of this site plan to the Edgewood residents. Their main objection is the ingress/egress. They have simple solutions. He would like the City to arrange for a meeting with staff, County representatives and the Edgewood executive board.

In response to Mayor Seiler, Iacino understood there is an ingress/egress point on 28 Street. He personally felt that the exit should be on 27 Street because it is right-turn only westward to 4 Avenue. Otherwise, motorists travel into Edgewood and leave on 9 Avenue. Vice-Mayor Rogers agreed. He attempted to resolve this when the interlocal agreement was reviewed. One solution would be to flip the building. Mayor Seiler questioned whether it could be done without flipping the building. Vice-Mayor Rogers suggested the entrance be at the south end and exist at the north end. In response to Mayor Seiler, Morejon advised that based on this discussion, staff could look at the suggested changes and report back on February 17 when the site plan is presented. Commissioner Roberts asked if there are other alternatives to restrict traffic flow westbound through the neighborhood. Mayor Seiler felt if the access point could be adjusted, it would satisfy both Edgewood and the County.

Broward County Commissioner Lois Wexler said she attended both Planning & Zoning Board (PZ) meetings and people from the neighborhood raised issues. The traffic flow pattern was raised at the last meeting and they were reminded by legal staff that language in the agreement specified certain streets. The County is willing to work with City staff on a different flow pattern. Vice-Mayor Rogers indicated that the City's instructions from the beginning have been for both ingress and egress on the east side. The County's architects said it was not possible because of emergency vehicles. When he suggested the entrance on the south and the exit on the north, he did not get a response. Wexler felt the ingress and egress could be resolved however she could not agree with flipping the building. Mayor Seiler hoped that this would be resolved before second reading in March.

Vice-Mayor Rogers reiterated his concern about this facility having never been shown to the neighborhood. Wexler said that the neighborhood raised new issues at every meeting because the

previous one did not get traction. Even though Iacino has said that the County never came to the neighborhood, he has attended every workshop and everything that has been held jointly. She wished a request for a presentation would have been made in the last six months rather than just two weeks ago at the PZ meeting. They would be happy to do so. Vice-Mayor Rogers explained that the dispute was whether it would be situated at this location. Consequently, how it would look got lost in the process. She agreed to make a presentation to the neighborhood.

Assuming this ordinance passes first reading tonight and the Commission reviews the site plan on February 17 through the call up procedure, the City Manager suggested second reading be scheduled for March 3 to coincide with the revised site which will allow the County time to meet with the neighborhood association.

The public hearing continued.

L.F. Rosenthal, 1237 NW 4 Avenue, said mental health and addiction facilities are needed in Fort Lauderdale. He felt this is what happens when a Fort Lauderdale resident is not serving on the County Commission. He felt that the City should have more authority generally speaking and the County should be more cooperative. He pointed out that Commissioner Wexler made no commitment to any changes this evening. If the neighborhood had retained a strong lobbyist, the facility would be located elsewhere.

Maureen Kielian, 1419 NE 57 Street, elaborated on the drug epidemic in Broward County. Her son was turned away from BARC because there were not enough beds which is the equivalent of a death sentence. Her husband is a 30-year BARC alumni. The program works. She felt this matter should be expedited.

Paul Faulk, representing Broward Addiction Recovery Center, advocated for the facility. BARC sees 4,500 people a year seeking treatment. Approximately 55 people are looking for detoxification services as of today but could not be admitted. The new facility provides 15 additional beds. Florida is 50th in providing mental health and substance abuse services.

Susan Nyamora, 431 NW 203 Avenue, Pembroke Pines, spoke in support of the item. She asked that this matter not be delayed any further.

Renee Corriveau, 200 NW 17 Court, asked that this matter not be delayed any further. BARC saved her life. The program works. People are turned away and have nowhere to go.

Vanessa Pritchett, 224 NE 22 Avenue, Pompano Beach, said she is a BARC alumni. She advocated for the new facility and more beds for women.

Raymond Cox, no address provided, said he is a BARC alumni. He advocated for the new facility.

Rocky Rodriguez, president of Broward County Substance Abuse Advisory Board, said he is a Fort Lauderdale resident. He spoke in support of the item and no further delay.

Don Maines, vice-president of Broward County Substance Abuse Advisory Board, said he is a Fort Lauderdale resident. He has recently moved his office to across the street from where the building will be. He felt that BARC will be an improvement for the neighborhood. He spoke in support of the item and no further delay.

There being no other individuals wishing to speak on this matter, a motion was made by Commissioner Roberts and seconded by Commissioner Trantalis to close the public hearing. Roll call showed: AYES:

Commissioner McKinzie, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Vice-Mayor Rogers pointed out that this is not about BARC and its usefulness. There are 14 social services rehabilitation facilities (SSRFs) in Fort Lauderdale now. BARC services the entire county. He felt it is debatable whether another SSRF is needed in Fort Lauderdale. It took the County 17 years to get here. He questioned why the County chose this site that meant condemning a church. He questioned why the County did not look for another site or accept many of the alternatives offered by the City. The political process should be fair and equitable, and it has not been so. This neighborhood lost a public school because there were not enough children in the neighborhood and lost a church because the County condemned it. He was disappointed in the political process. He elaborated on his belief that this SSRF does not meet the three criteria required for a rezoning. It is not the right mix with uses in the area. He questioned what will happen in the future when more space is needed. This is why he does not believe this is the correct site.

In response to Commissioner Trantalis, Fajardo said staff supports this rezoning application. There are other zoning districts around it that are consistent with this. Commissioner Roberts pointed out that PZ also supported the rezoning, although he understood Vice-Mayor Rogers' position.

Commissioner Roberts introduced the ordinance, which was read by title only, clarifying that the second reading will be held on March 3.

PASSED FIRST READING

Aye: 4 – Commissioner McKinzie, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

Nay: 1 – Vice-Mayor Rogers

PH-2 15-0077

FIRST READING OF ORDINANCE IMPOSING TEMPORARY MORATORIUM ON APPLICATIONS FOR MOTORIZED VEHICLES FOR HIRE

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, noted there is no date specified on this moratorium. The ordinance is vague and unconstitutional. Commissioner Trantalis noted the moratorium is 90 days. Cox went on to discuss difficulties with such vehicles.

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

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

PASSED FIRST READING

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

ORDINANCES

O-1 15-0131 SECOND READING OF ORDINANCE AMENDING CODE OF ORDINANCES RELATING TO WASTEWATER SERVICE ADJUSTMENTS FOR EXCESSIVE CONSUMPTION AND FOR WATER AND WASTEWATER SERVICE ADJUSTMENTS FOR UNEXPLAINED EXCESSIVE CONSUMPTION

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

Mayor Seiler opened the floor for public comment.

Charles King, 105 North Victoria Park Road, did not think this will solve the problem. Water is not a scarce resource. It is being used as a profit center. When there is a water leak, there is a sewer charge for that usage nevertheless. He felt there should be a more equitable approach to irrigation usage and advocated for a more fair uniform utility system in general.

Raymond Cox, no address provided, requested that the City consider portable public restrooms. He advocated for the homeless. Wastewater service should be provided for those who live indoors as well as outdoors. He discussed the rights of people who choose to live outdoors.

There was no one else wishing to speak.

ADOPTED ON SECOND READING

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

O-2 15-0161 FIRST READING OF ORDINANCE AMENDING CODE OF ORDINANCES - ESTABLISHING PASS-THROUGH PROVIDER AND COMMUNICATIONS FACILITY PROVIDER FEES

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, advocated for public restrooms and for more space in the BARC facility discussed earlier.

There was no one else wishing to speak.

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

PASSED FIRST READING

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

O-3 15-0082 FIRST READING OF ORDINANCE EXPANDING AUTHORITY OF SPECIAL MAGISTRATE RELATING TO CODE ENFORCEMENT LIENS

REMOVED FROM AGENDA

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

O-4 15-0017

FIRST READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATIONS BY INCORPORATING FLORIDA-FRIENDLY LANDSCAPING AND SUSTAINABILITY PRINCIPLES

Mayor Seiler opened the floor for public comment.

Dennis Ulmer, 1077 NW 11 Place, said he spoke in support of this item at the December 18 Planning and Zoning Board meeting. These changes will bring the City closer to its goals and objectives of the Strategic Plan and 2035 Vision.

Raymond Cox, no address provided, referred to Agenda Item O-3 and objected to not being allowed to speak on every item. Commissioner Trantalis advised that the item was removed from the agenda.

There was no one else wishing to speak.

In response to Commissioner Roberts' question concerning regulation of trees being planted adjacent to sidewalks, City Forester Gene Dempsey said there is some language about the right tree in the right place, but the second phase will be address that in greater detail.

Vice-Mayor Rogers introduced the ordinance, which was read by title only.

PASSED FIRST READING

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

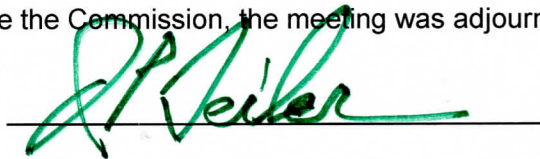
REQUEST FOR CLOSED DOOR

The City Attorney requested a closed door meeting for February 17, 2015 to discuss matters pertaining to *Arnold P. Abbott and Love Thy Neighbor Fund Inc. v. City of Fort Lauderdale – Case CACE99-03583(05)*.

Fred Carlson, 625 Orton Avenue, referred to the North Beach Village area. This developer and the Central Beach Alliance (CBA) are concerned about the swale that is used by delivery vehicles and it is deteriorated. There are about 20 or 25 potholes. He brought it to the attention of Public Works, which has addressed the issue. The ordinance states that if you drive over the swale, it belongs to the property owner. However, it is part of the street. He suggested the City address holistically. Mayor Seiler questioned whether the property owners would then reimburse the City. He was concerned about setting precedent by addressing one neighborhood. Carlson noted that all neighborhoods want attractive swales. He suggested the City propose a reasonable charge for residents to pay. A piecemeal approach is not the way to handle this. Commissioner Trantalis noted that as new development occurs on side streets, staff has asked developers to incorporate a swale improvement. Unless it is handled in a similar fashion to sidewalks, the policy would be inconsistent and the City could be viewed as showing favoritism. Carlson agreed but felt the City needs to find a way to take care of the City's assets that bring in revenue, such as the beach area.

Carlson agreed to raise this matter at the Central Beach Alliance meeting tomorrow. Commissioner Trantalis pointed out that Transportation and Mobility Director Diana Alarcon has noted an opportunity to appeal to the Metropolitan Planning Organization for funding to improve Birch Road. Carlson responded to Mayor Seiler that the swales in question are on Birch, Orton, Antioch, Bayview and Bayshore. Commissioner Trantalis explained that Par Sanda is buying older buildings that have no associated streetscape because it is not new construction.

There being no other matters to come before the Commission, the meeting was adjourned at 8:52 p.m.



John P. "Jack" Seiler
Mayor

ATTEST:



Jonda K. Joseph
City Clerk

CIT-4 PREPARED STATEMENT
DENNIS ULMER

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Mayor, Vice Mayor, Commissioner, City Manager, I'm Dennis Ulmer` and I am
Speaking tonight in support of our men and women who serve to protect us as
Police officers

Watching television a few weeks ago, I was moved to want to speak out by the
Attacks on police officers while on patrol or sitting in their vehicles In New York
City. Our avowed enemies, terrorists groups, have asked for the killing of police
Officers and men and women in the military and then citizens too. Just last week
A terrorist group said that they would kill our President in the White House in a
Horrific manner. Now is the time for citizens to be united and support our police
Officers.

~~Here in Fort Lauderdale~~ I learned last evening, from Chief of Police Adderley, at
our District III Meeting with my Commissioner, Robert McKinzie, that
Violent crime is down in our city by 6% this is the lowest crime rate since
Statistics were kept beginning in 1974. I also learned by taking part in the Fort
Lauderdale Community Policing Forum, that we have officers protecting us from
Internet crimes, child pornography, identity theft, human trafficking and we also
have Intelligence Led Policing, keeping track of ~~known~~^{known} offenders by following their
court dates, etc. by monitoring them as repeat offenders. Thus preventing more
Crime in our neighborhoods. ^{ESPECIALLY, BURGLARIES.} The Fort Lauderdale Police Department

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Does a good job. They are doing innovative things all to keep us safe in a
Sometimes unsafe world.

Crime can inflict great harm both mentally and physically. Police officers ~~ARE~~
Subjected to horrible things, and they support the victims, but do we think about
How they deal with what they see day in and day out, and the affects it has on
Them and their families? We need to think about this a lot more and support them
For what they experience while striving to serve and protect us.

In the war on crime, we now have an element that became clear on September 11th.
We have an enemy, as I said before, vows to kill, just because of who we are.

The only way that we can win is by remaining united just like we did after
September 11th. Terrorists want us to be in fear, but we must met the challenge
With Strength, determination, and unity.

Both domestic crime and terrorism is our enemy. The police are our first line of ~~of~~
Defense. As Americans, our way of live is under attack. Will we meet the
Challenge? We always have in the past, and we owe it to all of the victims of
Terrorism worldwide, that we will never give up the values of our liberty
And freedom, and ~~you~~^{TERRORISTS} will never defeat an America united against your
cowardly acts..

In the battle between good and evil, good has always prevailed. Our nation is being Tested, our enemies do not wear a uniform, all of America's cities could be the Battle field

We must support our police. We need to be partners and on the line of defense Against evil ^{AGAINST} together. United we will prevail.

^{TOGETHER} AGAINST CRIME AND TERRORISM

I think we can meet the challenge for we are America, we are Americans, and We will be united to defend our freedom, liberty, and justice for all. And we Will defeat the terrorists. GOOD WILL PREVAIL OVER EVIL.

To all of the men and women who are police officers, I thank you. May God Bless You, ^{AND KEEP YOU SAFE FROM HARM} and May God Bless America.

Thank you.