

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, February 16, 2016

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

Pastor Bill Knott, First Lutheran Church Fort Lauderdale, Florida

Mayor Seiler called the meeting to order at 6:05 p.m.

ROLL CALL

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

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, Sergeant At Arms Sergeant Todd Bunin

Mayor Seiler asked for a moment of silence in remembrance of former City Clerk Office Staff person Moira Cullen who was with the City for seven years.

Vice-Mayor McKinzie arrived at 6:07 p.m.

Pledge of Allegiance

Bayview Elementary School Student Council Leaders

Mayor Seiler recognized Ms. Tonya Frost, Principal of Bayview Elementary. Ms. Frost announced the Student Council led by Mr. Hinsley of Bayview Elementary fifth grade. Ms. Frost noted Bayview Elementary replicates the democratic process for their students by starting their career as Student Council Representatives through the election process. Each class elects representatives to the Student Council, which meets on a monthly basis. Bayview Elementary Student Council Leaders work on many different types of projects within the school and go back to their respective classrooms to inform fellow students what decisions have been made, and taking votes and proposals from their classmates back to the monthly meetings to create school-wide projects. Some of the projects include the Harvest Drive Food Donation for Thanksgiving Program, and organizing special events at their school. Ms. Frost thanked the Commission for having them.

Mayor Seiler noted how impressed he was with the Bayview Elementary Student Council Leaders and thanked them for attending and leading the City Commission Meeting in the Pledge of Allegiance.

Roll Call Order for this Meeting:

Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

No public comments were submitted by email for the February 2, 2016 Regular Commission Meeting.

Approval of MINUTES and Agenda

16-0272 Minutes for June 2, 2015 Conference Meeting; June 2, 2015 Regular

Meeting; January 20, 2016 Conference Meeting; and January 20, 2016 Regular Meeting

Commissioner Trantalis motioned for approval of the Minutes and Agenda which was seconded by Commissioner Rogers.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PRESENTATIONS

16-0304 WALK-ON – Police Officer of the Month – Michael Pugh

Assistant Chief Rick Maglione announced the Fort Lauderdale Police Officer of the Month, Michael Pugh. Chief Maglione presented Michael Pugh with the Police Officer of the Month Award for February 2016 noting the specific incident Officer Pugh was involved in that exhibited his exemplary service to the City. Officer Pugh, in an effort to assist what appeared to be two disabled motorists, was able to apprehend a dangerous felon impersonating a police officer and may have disrupted a robbery in progress. Officer Pugh was commended by the Commission and the entire audience for his great work and a job well done.

PRES- 16-0111 Recognition of Employees in the Finance Department - Athena Gillian,
1 Wilson Quintero and Iris Wyman

Kirk Buffington, Director of Finance for the City, presented Athena Gillian, Wilson Quintero, and Iris Wyman, with recognition awards for their great customer service on behalf of Ms. Roberta Bowles and the City. These outstanding employees assisted Fort Lauderdale neighbor Roberta Bowles and allowing her to move back into her home after experiencing a period of homelessness. Mr. Buffington also recognized others who work for SunServe, who also assisted Ms. Bowles. Ms. Bowles went to SunServe seeking assistance on December 22, 2015 and was back in her home before Christmas. Mr. Buffington noted this was an example as well as a testimony to the impact great community partnerships and neighborliness can have in our City.

PRES- 16-0227 City of Fort Lauderdale - Recipient of the American Heart Association's
2 Fit-Friendly Gold Achievement Award

Vice-Mayor McKinzie accepted the American Heart Association's Fit-Friendly Gold Achievement Award. The American Heart Association representative noted the American Heart Association

implements healthy eating and encourages wellness programs in companies noting the City of Fort Lauderdale has a Wellness Center. The City's Wellness Center encourages wellness with all employees in the area of healthy eating and the many activities surrounding wellness. The American Heart Association measures the nine criteria that must be met to receive this award. It is high honor that only approximately 25 companies receive in Broward County each year and this is the fourth year in a row the City has received this recognition.

CONSENT AGENDA

Mayor Seiler announced the procedure for consent agenda items and announced the following updates to the Consent Agenda. Items PUR-1 AND PUR-4 were pulled by the public.

CONSENT MOTION

Commissioner Roberts motioned for the removal of Consent Agenda items PUR-1 and PUR-4 from the Consent Agenda for separate consideration and for the remaining Consent Agenda items to be approved as recommended, which was seconded by Vice-Mayor McKinzie.

Approval of the Consent Agenda

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

CM-1 16-0164 Motion to Approve Event Agreements: 39th Annual Waterway Cleanup, Over the Edge 2016 and Gammafest

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

CM-2 16-0165 Motion to Approve Event Agreements and Related Road Closings: March for Cancer and Fort Lauderdale St. Patrick's Day Parade & Festival

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

CM-3 16-0137 License Agreement - Operation of Lockhart Stadium - Strikers Personnel d/b/a Fort Lauderdale Strikers, a Florida limited liability company

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

CM-4 16-0200 Motion Authorizing Settlement of Auto Liability Claim in the Matter of George Goodridge v. City of Fort Lauderdale, Case No. 14-004597 in the amount of \$35,000.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

CM-5 16-0237 Motion Authorizing Settlement of Police Professional Liability Claim in the Matter of Antonio Grant v. Jared Gross, et al, Case No. 15-61128-Civ-Gayles/Turnoff in the amount of \$30,000.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

CM-6 16-0206 Memorandum of Understanding with Swim Fort Lauderdale Masters Booster Club, Inc.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

CONSENT RESOLUTION

CR-1 16-0195 Resolution Adopting the Fiscal Year 2016 Federal Legislative Priorities and Funding Requests for the City of Fort Lauderdale

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

CR-2 16-0230 Resolution Approving an Extension of a Temporary Moratorium on the Installation of Wireless Personal Telecommunication Towers and Distributed Antenna Systems through April 19, 2016

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

- CR-3 16-0007** Resolution Authorizing Amendment Number One to the Utility Work by Highway Contractor Agreement for Utility Adjustments with the Florida Department of Transportation
ADOPTED
Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

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

- CR-4 16-0113** Resolution Approving a Locally Funded Agreement with Florida Department of Transportation for the Old Dixie Highway Project
ADOPTED
Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

- CR-5 16-0114** Resolution to Approve a Highway Maintenance Memorandum of Agreement for Improvements - Old Dixie Highway Complete Streets Project with Florida Department of Transportation
ADOPTED
Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

- CR-6 16-0140** Resolution in Support of the Florida Department of Transportation Delivery of the Old Dixie Highway Complete Streets Project
ADOPTED
Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

- CR-7 16-0187** Resolution Approving Execution of a First Amendment to Lease Agreement with Sheltair Executive South, Inc. for Parcel 20 at Fort Lauderdale Executive Airport
ADOPTED
Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

PURCHASING AGENDA**PUR-1 16-0090** Motion to Reject All Bids - Median Beautification Project on State Road A1A

There being no one wishing to speak on this item, Commissioner Rogers made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis wished to indicate to the Commission the concern that neighbors have in this area is the loss of the old canopy trees which are going to be replaced by smaller trees. City Manager Feldman noted black olive trees would not replace the canopy trees.

Commissioner Trantalis moved to approve this motion and was seconded by Commissioner Roberts, which was read by title only.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

PUR-2 16-0135 Motion to Approve Purchase of Ammunition and Use of Federal Law Enforcement Trust Funds - Florida Bullet Inc., and Lawmen's and Shooters' Supply, Inc. - \$139,017.38**APPROVED**

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

PUR-3 16-0171 Motion to Approve Purchase of Toolcat Utility Work Machine - Clark Equipment Company dba Bobcat Company - \$64,267.58**APPROVED**

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

PUR-4 16-0181 Motion to Approve Final Ranking and Authorization to Commence Contract Negotiations for Stormwater Master Plan Modeling and Design Implementation Engineering Consulting **Services**

Count Rosenthal expressed his concerns with this item informing all City Commission members, the City Manager, the City Clerk, the City Attorney, and the City Auditor to carefully watch this item and urging the City Manager to have extra staff to monitor this project with focused follow-up to prevent cost overruns and mistakes such as has occurred

in Miami.

There being no one wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis moved to approve this motion and was seconded by Vice-Mayor McKinzie, which was read by title only.

**Motion to Approve Final Ranking and Authorization to Commence
Contract Negotiations for Stormwater Master Plan Modeling and
Design Implementation Engineering Consulting Services**

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

PUR-5 16-0212

**Motion to Cancel the Agreements with Enstoa, Inc. and Oracle,
America, Inc. for the use of Oracle Primavera Unifier and Panoptra
Software and Configuration Services**

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

MOTIONS

M-1 16-0235

**Motion Approving Events Agreement amongst the City of Fort
Lauderdale, Florida Trust for Historic Preservation, Inc., and Bonnet
House, Inc.**

Commissioner Trantalis asked City Manager Feldman to explain why the City is giving Bonnet House "Cart Blanche" to continue to operate activities in this section of the beach as has been done in the past. City Manager Feldman explained this is a section of the beach is owned by the Bonnet House. This area of beach has a public easement across it allowing neighbors, guests and visitors to use that section of the beach. This agreement is part of working through this easement and should be the final piece of the City's arrangement with the Bonnet House allowing them to conduct activities associated with their facility.

Stephanie Toothaker, on behalf of the Bonnet House, addressed the Commission on this topic noting this is a cleanup item and something that has been worked on for more than five years. The Bonnet House and the Florida Trust for Historic Preservation own 1,500 linear feet of the beach in fee simple title but granted to the City an easement over a significant portion for the benefit of the residents of the City. This agreement puts restrictions on the Bonnet House and the Florida Trust for Historic Preservation so that if they want to have private events, they must notify the City, and address items such as cleaning the property after an event, etc. This item benefits both parties as it lays out the rules for being able to have private events.

Commissioner Trantalis questioned how this can go on in the beach area without any review process to ensure it is the type of event that the City would ordinarily allow on the beach. Ms. Toothaker noted the agreement carefully

outlines a private event versus a public event along with the associated responsibilities, requirements, and restrictions. Additionally, public events would require the City's approval. Mayor Seiler stated this agreement is a good faith effort on their part and is an accommodation to the City. Further discussions ensued on this topic.

There being no one wishing to speak on this item, Commissioner Roberts made a motion to close the public hearing, which was seconded by Vice-Mayor McKinzie. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis moved this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

City Attorney Everett asked for understanding that Motions M-2, M-3, and M-4 for events have been separated out because the event agreements are requesting an exemption from City policy and they are not an approval of events within the City's normal parameters. This was confirmed noting these motions pertain to events that end beyond what is allowed for events on the weekend.

M-2 16-0166 Motion to Approve an Event Agreement with C & I Reach, Inc. for For the Love Music Festival

There being no one wishing to speak on this item, Vice-Mayor McKinzie made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis moved this item and was seconded by Vice-Mayor McKinzie.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

M-3 16-0167 Motion to Approve an Event Agreement with Tarpon Bend Food and Tackle Riverwalk, LTD for St. Patty's Day Celebration

There being no one wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Vice-Mayor McKinzie Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Rogers questioned the application. City Manager Feldman clarified his question by stating applicant is requesting the event last until 2:00 a.m.

Commissioner Rogers moved this item and was seconded by Vice-Mayor McKinzie.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

M-4 16-0169 Motion to Approve an Event Agreement with Bam Bam Entertainment, LLC for St. Patrick's Day Block Party

City Manager Feldman clarified for the Commission that the applicant is requesting the event ending at 1:00 .a.m.

Mr. Ihab Atallah, Bam Bam Entertainment d/b/a/ Cyn Night Club, addressed the Commission. Commissioner Trantalis asked Mr. Atallah how far away is his event from the Tarpon Bend event just approved and their anticipated plan for interacting. Mr. Atallah stated this event is located in the middle of Second Avenue, and the other event is farther down Second Avenue. He also stated they coordinate things concerning band time, schedules, etc. Mr. Atallah noted there has never been a conflict regarding noise or music in prior years. These events are being held on St. Patrick's Day and the street closure helps the area with things such as pedestrians and is similar to previous events occurring in the area on St. Patrick's Day in the past.

Commissioner Rogers asked for clarification on the location of this event and the Tarpon Bend event the same evening. Mr. Atallah clarified this for Commissioner Rogers.

There being no one wishing to speak on this item, Commissioner Roberts made a motion to close the public hearing, which was seconded by Commissioner Rogers. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis moved this item and was seconded by Vice-Mayor McKinzie.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

Commissioner Roberts requested City Manager Feldman to provide additional background information to the Commission on the history of these types of events, how they were handled, and any complaints that may have been received. Further discussions ensued on this topic regarding verifying complaints.

16-0287 WALK-ON Motion to Approve an Amendment to Task Order Number Five for the Annual Utilities Restoration Contract - Molly Bros. Inc. - \$31,536 Task Order

Commissioner Trantalis moved this item and was seconded by Commissioner Roberts, which was read by title only.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

16-0256 WALK-ON Motion to Approve Purchase of Real Estate Consulting and Valuation Services - Florida Property Advisors, LLC dba Integra Realty Resources Miami - \$50,000

City Manager Feldman outlined the history of the requests for an appraisal for Bahia Mar. City Manager Feldman has requested Integra Realty to update and expand their April 2012 appraisal as directed by the Commission. Commissioner Trantalis requested the appraisals be for the 100-year lease. City Manager Feldman confirmed he would ask for the appraisal to be done on the basis of the 100-year lease. Questions, clarifications, and discussions ensued on this item.

Mr. Charlie Cassel, 1525 South Ocean Drive, addressed the Commission as a principal of Consilium Investment Management, and an SEC registered investment advisor in Fort Lauderdale. Mr. Cassel noted his addition qualification to speak on this item stating his opinion on the scope of work that has been outlined from Integra Realty. He spoke regarding points most critical for the Commission's evaluation: a clear indication of the intrinsic value of the land; the value of the operations at the marina; the value of the hotel operations existing today; and the value of the existing lease from which to compare another project. He respectfully suggested that the Commission consider a highest and best use appraisal are taking a look at the land, the zoning restrictions, the goals and aspirations the City places on the property to come up with the best achievable value is for this property.

Commissioner Rogers asked Mr. Cassel how he distinguished the fair market value fee appraisal from a highest and best use appraisal. Mr. Cassel said a highest and best use appraisal is one that encompasses what the land can achieve as opposed to what it is today if it is not fully developed. Further explanations and discussions ensued on this item.

Count Rosenthal expressed his opinion on this item and in opposition to the possibility of a bond issue regarding purchasing this lease noting the need for the City and the developers to come to an agreement for the property.

There being no one wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

City Attorney Everett requested the Commission to provide some direction regarding the fees and timing of the appraisal. Mayor Seiler amended wording for the fee appraisal services. Mayor Seiler noted that the contract specifies a retainer and a cancelation fee noting it is not something the City usually does. City Manager Feldman noted the City has paid up front a portion of other contracts. City Attorney Everett noted this contradicts the City's purchasing policy, but the Commission could overrule. Mayor Seiler stated due to the fact the City is requesting this appraisal be expedited; he agrees to the retainer. City Manager Feldman stated the previous appraisal was handled via the issuance of a purchase order with an attached proposal to Mr. Stewart. Mr. Feldman noted his concern that the appraisal needs to be expedited to move with the Bahia Mar discussions and negotiations. Discussions ensued on the wording in several sections of the appraisal contract, and the Commission agreed to several modifications.

Mayor Seiler noted Bahia Mar would probably not be back on the March 1, 2016 Agenda noting the Commission may have a Special Meeting of the Commission to address Bahia Mar.

Commissioner Trantalis moved to approve the item as amended and was seconded by Commissioner Rogers.

APPROVED AS AMENDED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

RESOLUTIONS

R-1 16-0216 Appointment of Board and Committee Members

Resolution-1 appoints the following citizens to the specified Boards:

MARINE ADVISORY BOARD

John T. Holmes is appointed to the Marine Advisory Board for a one-year term beginning April 16, 2016 and ending April 15, 2017.

Jack Newton is appointed to the Marine Advisory Board for a one-year term beginning April 16, 2016 and ending April 15, 2017.

REGIONAL ADVISORY BOARD FOR THE CENTRAL WASTEWATER REGION

Commissioner Bruce G. Roberts is appointed to the Regional Advisory Board for the Central Wastewater Region (Category: Member of the City Commission) for a one-year term beginning February 16, 2016 and ending February 15, 2017 or until his successor has been appointed.

Commissioner Trantalis moved to approve the item as amended and was seconded by Commissioner Roberts, which was read by title only.

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

R-2 16-0267 Resolution Formally Electing Not to Participate in Broward County's Civil Citation Program

Commissioner Roberts moved to approve the item as amended and was seconded by Vice-Mayor McKinzie, which was read by title only.

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts,

Commissioner Trantalis, and Mayor Seiler

R-3 16-0115 Quasi-Judicial Resolution Approving a Site Plan Level II Development Permit Allocating 232 Post 2003 Downtown Dwelling Units and 125 flexibility units from Flex Zone 49 - Morgan on 3rd - Putnam Realty Limited - 400 NE 3rd Avenue - Case Number R15034

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.

Mayor Seiler announced he had several site visits, communications with Mr. Robert Lochrie and received an expert opinion from the County on these units. Commissioner Roberts noted several site visits and verbal communications with Mr. Lochrie. Vice-Mayor McKinzie noted several site visits and verbal communications with Mr. Lochrie. Commissioner Trantalis noted several site visits and verbal communications with Mr. Lochrie. Commissioner Rogers noted several site visits and verbal communications with Mr. Lochrie.

Mr. Robert Lochrie, on behalf of the applicant, addressed the Commission stating his is happy to answer any questions and noted a scrivener's error he brought to the attention of City Attorney's Office and the City Planner. He noted the number of units being asked for in the resolution is 357, and the correct number is 350 units. The resolution should read 225 Post 2003 downtown Dwelling Units and 125 flexibility units from Flex Zone 49 for a total of 350 units rather than 357 units.

There being no one wishing to speak on this item, Commissioner Rogers made a motion to close the public hearing, which was seconded by Vice-Mayor McKinzie. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Rogers introduced the item as amended, which was read by title only.

ADOPTED APPROVING AS AMENDED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

PUBLIC HEARINGS

PH-1 16-0154 Public Hearing to Consider the Adoption of a Resolution Designating a Site-Specific Green Reuse Area - Wisdom Village Crossing- located at 615 North Andrews Avenue

There being no one wishing to speak on this item, Commissioner Roberts made a motion to close the public hearing, which was seconded by Commissioner Trantalis. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor

Seiler. NAYS: None.

Commissioner Roberts moved to approve the item as amended and was seconded by Vice-Mayor McKinzie, which was read by title only.

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

ORDINANCE FIRST READING

OFR-1 16-0128 Ordinance Establishing the Guidelines for Deeming Structures Unfit for Human Habitation and the Removal of Squatters (Request Deferment to March 1, 2016)

Commissioner Roberts moved to defer this item until the March 1, 2016 City Commission Meeting and was seconded by Commissioner Trantalis.

DEFERRED FIRST READING to March 1, 2016

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

OFR-2 16-0175 Ordinance Amending Section 47-24.2 of the Unified Land Development Regulations to Revise the Review Criteria for Rezoning Applications

Count Rosenthal waived his request to address the Commission.

There being no one wishing to speak on this item, Commissioner Roberts made a motion to close the public hearing, which was seconded by Commissioner Trantalis. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Roberts had questions on this item on page three of the CAM. Commissioner Roberts stated City Manager Feldman and City Attorney Everett would get back to him to clarify and answer his questions regarding this item. Assistant City Attorney D'Wayne Spence addressed Commissioner Roberts' questions and recommended an amendment to the language in Section 47-25 of the proposed ordinance to be consistent with existing language. Mr. Spence clarified and answered additional questions from the Commission. Discussions ensued on the wording of the ordinance. It was agreed the language of this ordinance would be redrafted.

Commissioner Roberts moved to defer this item until the March 1, 2016 City Commission Meeting and was seconded by Commissioner Trantalis.

DEFERRED FIRST READING to March 1, 2016

Aye: 5 - Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, and Mayor Seiler

ADJOURNMENT

There being no further business before the Commission, Mayor Seiler adjourned the meeting at 7:36 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk